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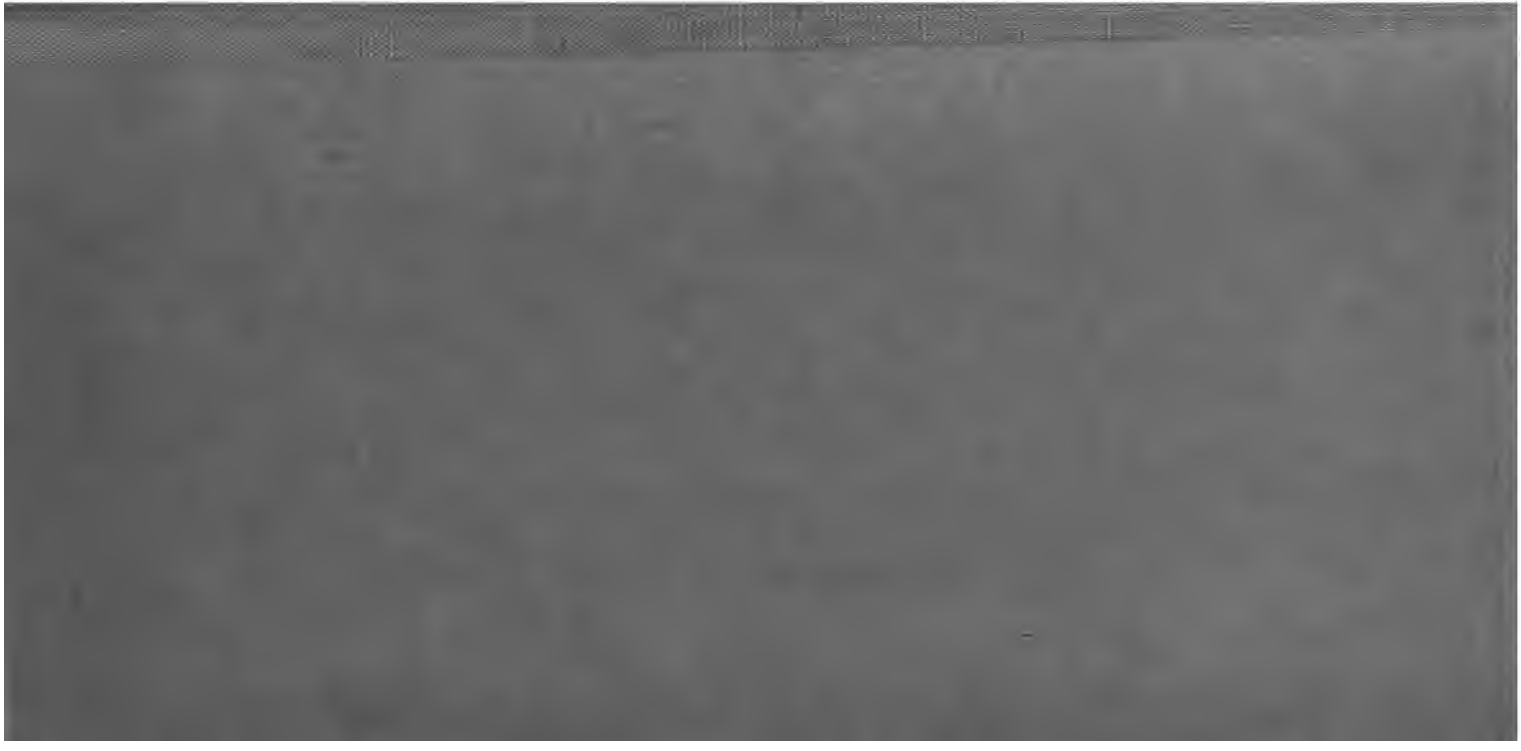

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THE

WORKS

OF

THE RIGHT HONOURABLE

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MR. BURKE'S

SPEECHES

AT

HIS ARRIVAL AT BRISTOL,

AND AT

THE CONCLUSION OF THE POLL.

1774.

EDITOR'S ADVERTISEMENT.

WE believe there is no need of an apology to the publick for offering to them any genuine Speeches of Mr. Burke: the two contained in this publication undoubtedly are so. The general approbation they met with (as we hear) from all parties at Bristol, persuade us that a good edition of them will not be unacceptable in London; which we own to be the inducement, and we hope is a justification, of our offering it.

We do not presume to descant on the merit of these Speeches; but as it is no less new, than honourable, to find a popular candidate, at a popular election, daring to avow his dissent to certain points that have been considered as very popular objects, and maintaining himself on the manly confidence of his own opinion; so, we must say, that it does great credit to the people of England, as it proves to the world, that, to insure their confidence, it is not necessary to flatter them, or to affect a subserviency to their passions or their prejudices.

It may be necessary to premise, that at the opening of the poll the candidates were Lord Clare,

Mr. Brickdale, the two last members, and Mr. Cruger, a considerable merchant at Bristol. On the second day of the poll, Lord Clare declined; and a considerable body of gentlemen, who had wished that the city of Bristol should, at this critical season, be represented by some gentleman of tried abilities and known commercial knowledge, immediately put Mr. Burke in nomination. Some of them set off express for London to apprise that gentleman of this event; but he was gone to Malton in Yorkshire. The spirit and active zeal of these gentlemen followed him to Malton. They arrived there just after Mr. Burke's election for that place, and invited him to Bristol.

Mr. Burke, as he tells us in his first Speech, acquainted his constituents with the honourable offer that was made him; and, with their consent, he immediately set off for Bristol on the Tuesday at six in the evening; he arrived at Bristol at half past two in the afternoon on Thursday the 13th of October, being the sixth day of the poll.

He drove directly to the mayor's house, who not being at home, he proceeded to the Guildhall, where he ascended the hustings, and having saluted the electors, the sheriffs, and the two candidates, he reposed himself for a few minutes, and then addressed the electors in a speech which was received with great and universal applause and approbation.

MR. BURKE'S SPEECH

AT

HIS ARRIVAL AT BRISTOL.

GENTLEMEN,

I AM come hither to solicit in person, that favour which my friends have hitherto endeavoured to procure for me, by the most obliging, and to me the most honourable, exertions.

I have so high an opinion of the great trust which you have to confer on this occasion; and, by long experience, so just a diffidence in my abilities, to fill it in a manner adequate even to my own ideas, that I should never have ventured of myself to intrude into that awful situation. But since I am called upon by the desire of several respectable fellow-subjects, as I have done at other times, I give up my fears to their wishes. Whatever my other deficiencies may be, I do not know what it is to be wanting to my friends.

I am not fond of attempting to raise publick expectations by great promises. At this time, there is much cause to consider, and very little to presume.

We seem to be approaching to a great crisis in our affairs, which calls for the whole wisdom of the wisest among us, without being able to assure ourselves, that any wisdom can preserve us from many and great inconveniencies. You know I speak of our unhappy contest with America. I confess, it is a matter on which I look down as from a precipice. It is difficult in itself, and it is rendered more intricate by a great variety of plans of conduct. I do not mean to enter into them. I will not suspect a want of good intention in framing them. But however pure the intentions of their authors may have been, we all know that the event has been unfortunate. The means of recovering our affairs are not obvious. So many great questions of commerce, of finance, of constitution, and of policy, are involved in this American deliberation, that I dare engage for nothing, but that I shall give it, without any predilection to former opinions, or any sinister bias whatsoever, the most honest and impartial consideration of which I am capable. The public has a full right to it; and this great city, a main pillar in the commercial interest of Great Britain, must totter on its base by the slightest mistake with regard to our American measures.

Thus much, however, I think it not amiss to lay before you; That I am not, I hope, apt to take up or lay down my opinions lightly. I have held,

and

and ever shall maintain, to the best of my power, unimpaired, and undiminished, the just, wise, and necessary constitutional superiority of Great Britain. This is necessary for America, as well as for us. I never mean to depart from it. Whatever may be lost by it, I avow it. The forfeiture even of your favour, if by such a declaration I could forfeit it, though the first object of my ambition, never will make me disguise my sentiments on this subject.

But,—I have ever had a clear opinion, and have ever held a constant correspondent conduct, that this superiority is consistent with all the liberties a sober and spirited American ought to desire. I never mean to put any colonist, or any human creature, in a situation, not becoming a free-man. To reconcile British superiority with American liberty shall be my great object, as far as my little faculties extend. I am far from thinking that both, even yet, may not be preserved.

When I first devoted myself to the publick service, I considered how I should render myself fit for it; and this I did by endeavouring to discover what it was, that gave this country the rank it holds in the world. I found that our prosperity and dignity arose principally, if not solely, from two sources; our constitution and commerce. Both these I have spared no study to understand, and no endeavour to support.

The distinguishing part of our constitution is its liberty. To preserve that liberty inviolate, seems the particular duty and proper trust of a member of the House of Commons. But the liberty, the only liberty I mean, is a liberty connected with order; that not only exists along with order and virtue, but which cannot exist at all without them. It inheres in good and steady government, as in its substance and vital principle.

The other source of our power is commerce, of which you are so large a part, and which cannot exist, no more than your liberty, without a connection with many virtues. It has ever been a very particular and a very favourite object of my study, in its principles, and in its details. I think many here are acquainted with the truth of what I say. This I know, that I have ever had my house open, and my poor services ready, for traders and manufacturers of every denomination. My favourite ambition is to have those services acknowledged. I now appear before you to make trial, whether my earnest endeavours have been so wholly oppressed by the weakness of my abilities, as to be rendered insignificant in the eyes of a great trading city; or whether you chuse to give a weight to humble abilities, for the sake of the honest exertions with which they are accompanied. This is my trial to-day. My industry is not on trial. Of my industry I am sure,

as

as far as my constitution of mind and body admitted.

When I was invited by many respectable merchants, freeholders, and freemen of this city, to offer them my services, I had just received the honour of an election at another place, at a very great distance from this. I immediately opened the matter to those of my worthy constituents who were with me, and they unanimously advised me not to decline it. They told me, that they had elected me with a view to the publick service; and as great questions relative to our commerce and colonies were imminent, that in such matters I might derive authority and support from the representation of this great commercial city; they desired me therefore to set off without delay, very well persuaded that I never could forget my obligations to them, or to my friends, for the choice they had made of me. From that time to this instant I have not slept; and if I should have the honour of being freely chosen by you, I hope I shall be as far from slumbering or sleeping when your service requires me to be awake, as I have been in coming to offer myself a candidate for your favour.

MR. BURKE'S SPEECH

TO THE

ELECTORS OF BRISTOL,

On his being declared by the Sheriffs, duly elected one of the Representatives in Parliament for that City,

On Thursday, the third of November, 1774.

GENTLEMEN,

I CANNOT avoid sympathizing strongly with the feelings of the gentleman who has received the same honour that you have conferred on me. If he, who was bred and passed his whole life amongst you; if he, who through the easy gradations of acquaintance, friendship, and esteem, has obtained the honour, which seems of itself, naturally and almost insensibly, to meet with those, who, by the even tenour of pleasing manners and social virtues, slide into the love and confidence of their fellow-citizens;—if he cannot speak but with great emotion on this subject, surrounded as he is on all sides with his old friends; you will have the goodness to excuse me, if my real, unaffected embarrassment prevents me from expressing my gratitude to you as I ought.

I was

I was brought hither under the disadvantage of being unknown, even by sight, to any of you. No previous canvass was made for me. I was put in nomination after the poll was opened. I did not appear until it was far advanced. If, under all these accumulated disadvantages, your good opinion has carried me to this happy point of success; you will pardon me, if I can only say to you collectively, as I said to you individually, simply and plainly, I thank you—I am obliged to you—I am not insensible of your kindness.

This is all that I am able to say for the inestimable favour you have conferred upon me. But I cannot be satisfied, without saying a little more in defence of the right you have to confer such a favour. The person that appeared here as counsel for the candidate, who so long and so earnestly solicited your votes, thinks proper to deny, that a very great part of you have any votes to give. He fixes a standard period of time in his own imagination, not what the law defines, but merely what the convenience of his client suggests, by which he would cut off, at one stroke, all those freedoms, which are the dearest privileges of your corporation; which the common law authorizes; which your magistrates are compelled to grant; which come duly authenticated into this court; and are saved in the clearest words, and with the most religious care and tenderness, in that very act

act of parliament, which was made to regulate the elections by freemen, and to prevent all possible abuses in making them.

I do not intend to argue the matter here. My learned counsel has supported your cause with his usual ability; the worthy sheriffs have acted with their usual equity, and I have no doubt, that the same equity, which dictates the return, will guide the final determination. I had the honour, in conjunction with many far wiser men, to contribute a very small assistance, but however some assistance, to the forming the judicature which is to try such questions. It would be unnatural in me, to doubt the justice of that court, in the trial of my own cause, to which I have been so active to give jurisdiction over every other.

I assure the worthy freemen, and this corporation, that, if the gentleman perseveres in the intentions, which his present warmth dictates to him, I will attend their cause with diligence, and I hope with effect. For, if I know any thing of myself, it is not my own interest in it, but my full conviction, that induces me to tell you—*I think there is not a shadow of doubt in the case.*

I do not imagine that you find me rash in declaring myself, or very forward in troubling you. From the beginning to the end of the election, I have kept silence in all matters of discussion. I have never asked a question of a voter on the other side,

side, or supported a doubtful vote on my own. I respected the abilities of my managers; I relied on the candour of the court. I think the worthy sheriffs will bear me witness, that I have never once made an attempt to impose upon their reason, to surprise their justice, or to ruffle their temper. I stood on the hustings (except when I gave my thanks to those who favoured me with their votes) less like a candidate, than an unconcerned spectator of a public proceeding. But here the face of things is altered. Here is an attempt for a general *massacre* of suffrages; an attempt, by a promiscuous carnage of *friends* and *foes*, to exterminate above two thousand votes, including *seven hundred polled for the gentleman himself, who now complains*, and who would destroy the friends whom he has obtained, only because he cannot obtain as many of them as he wishes.

How he will be permitted, in another place, to stultify and disable himself, and to plead against his own acts, is another question. The law will decide it. I shall only speak of it as it concerns the propriety of publick conduct in this city. I do not pretend to lay down rules of decorum for other gentlemen. They are best judges of the mode of proceeding that will recommend them to the favour of their fellow-citizens. But I confess, I should look rather awkward, if I had been the *very first to produce the new copies of freedom*, if

I had persisted in producing them to the last; if I had ransacked, with the most unremitting industry and the most penetrating research, the remotest corners of the kingdom to discover them; if I were then, all at once, to turn short, and declare that I had been sporting all this while with the right of election; and that I had been drawing out a poll, upon no sort of rational grounds, which disturbed the peace of my fellow-citizens for a month together—I really, for my part, should appear awkward under such circumstances.

It would be still more awkward in me, if I were gravely to look the sheriffs in the face, and to tell them, they were not to determine my cause on my own principles; nor to make the return upon those votes, upon which I had rested my election. Such would be my appearance to the court and magistrates.

But how should I appear to the *voters* themselves? if I had gone round to the citizens entitled to freedom, and squeezed them by the hand—"Sir, I humbly beg your vote—I shall be eternally "thankfully—may I hope for the honour of your "support?—Well!—come—we shall see you at "the council-house."—If I were then to deliver them to my managers, pack them into tallies, vote them off in court, and when I heard from the bar —"Such a one only! and such a one for ever!— "he's my man!"—"Thank you, good Sir—Hah!

"my

" my worthy friend! thank you kindly—that's " an honest fellow—how is your good family?" Whilst these words were hardly out of my mouth, if I should have wheeled round at once, and told them—" Get you gone, you pack of worthless " fellows! you have no votes—you are usurpers! " you are intruders on the rights of real freemen! " I will have nothing to do with you! you ought " never to have been produced at this election, " and the sheriffs ought not to have admitted you " to poll."

Gentlemen, I should make a strange figure, if my conduct had been of this sort. I am not so old an acquaintance of yours as the worthy gentleman. Indeed I could not have ventured on such kind of freedoms with you. But I am bound, and I will endeavour, to have justice done to the rights of freemen; even though I should, at the same time, be obliged to vindicate the former * part of my antagonist's conduct against his own present inclinations.

I owe myself, in all things, to *all* the freemen of this city. My particular friends have a demand on me, that I should not deceive their expectations. Never was cause or man supported with more constancy, more activity, more spirit. I have been

* Mr. Brickdale opened his poll, it seems, with a tally of those very kind of freemen, and voted many hundreds of them.

been supported with a zeal indeed and heartiness in my friends, which (if their object had been at all proportioned to their endeavours) could never be sufficiently commended. They supported me upon the most liberal principles. They wished that the members for Bristol should be chosen for the city, and for their country at large, and not for themselves.

So far they are not disappointed. If I possess nothing else, I am sure I possess the temper that is fit for your service. I know nothing of Bristol, but by the favours I have received, and the virtues I have seen exerted in it.

I shall ever retain, what I now feel, the most perfect and grateful attachment to my friends—and I have no enmities; no resentment. I never can consider fidelity to engagements, and constancy in friendships, but with the highest approbation; even when those noble qualities are employed against my own pretensions. The gentleman, who is not fortunate as I have been in this contest, enjoys, in this respect, a consolation full of honour both to himself and to his friends. They have certainly left nothing undone for his service.

As for the trifling petulance, which the rage of party stirs up in little minds, though it should shew itself even in this court, it has not made the slightest impression on me. The highest flight of such clamorous birds is winged in an inferiour

region of the air. We hear them, and we look upon them, just as you, gentlemen, when you enjoy the serene air on your lofty rocks, look down upon the gulls, that skim the mud of your river, when it is exhausted of its tide.

I am sorry I cannot conclude, without saying a word on a topick touched upon by my worthy colleague. I wish that topick had been passed by; at a time when I have so little leisure to discuss it. But since he has thought proper to throw it out, I owe you a clear explanation of my poor sentiments on that subject.

He tells you, that "the topick of instructions "has occasioned much altercation and uneasiness "in this city;" and he expresses himself (if I understand him rightly) in favour of the coercive authority of such instructions.

Certainly, gentlemen, it ought to be the happiness and glory of a representative, to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinion high respect; their business unremitted attention. It is his duty to sacrifice his repose, his pleasures, his satisfactions, to theirs; and, above all, ever, and in all cases, to prefer their interest to his own. But, his unbiassed opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you;

to any man, or to any set of men living. These he does not derive from your pleasure; no, nor from the law and the constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.

My worthy colleague says, his will ought to be subservient to yours. If that be all, the thing is innocent. If government were a matter of will upon any side, yours, without question, ought to be superiour. But government and legislation are matters of reason and judgment, and not of inclination; and what sort of reason is that, in which the determination precedes the discussion; in which one set of men deliberate, and another decide; and where those who form the conclusion are perhaps three hundred miles distant from those who hear the arguments?

To deliver an opinion, is the right of all men; that of constituents is a weighty and respectable opinion, which a representative ought always to rejoice to hear; and which he ought always most seriously to consider. But *authoritative* instructions; *mandates* issued, which the member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgment and conscience; these are

things utterly unknown to the laws of this land, and which arise from a fundamental mistake of the whole order and tenour of our constitution.

Parliament is not a *congress* of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates; but parliament is a *deliberative* assembly of *one* nation, with *one* interest, that of the whole; where, not local purposes, not local prejudices ought to guide, but the general good, resulting from the general reason of the whole. You chuse a member indeed; but when you have chosen him, he is not member of Bristol, but he is a member of *parliament*. If the local constituent should have an interest, or should form an hasty opinion, evidently opposite to the real good of the rest of the community, the member for that place ought to be as far, as any other, from any endeavour to give it effect. I beg pardon for saying so much on this subject. I have been unwillingly drawn into it; but I shall ever use a respectful frankness of communication with you. Your faithful friend, your devoted servant, I shall be to the end of my life: a flatterer you do not wish for. On this point of instructions, however, I think it scarcely possible, we ever can have any sort of difference. Perhaps I may give you too much, rather than too little trouble.

From the first hour I was encouraged to court your

your favour, to this happy day of obtaining it, I have never promised you any thing, but humble and persevering endeavours to do my duty. The weight of that duty, I confess, makes me tremble; and whoever well considers what it is, of all things in the world, will fly from what has the least likeness to a positive and precipitate engagement. To be a good member of parliament, is, let me tell you, no easy task; especially at this time, when there is so strong a disposition to run into the perilous extremes of servile compliance or wild popularity. To unite circumspection with vigour, is absolutely necessary; but it is extremely difficult. We are now members for a rich commercial *city*; this city, however, is but a part of a rich commercial *nation*, the interests of which are various, multiform, and intricate. We are members for that great nation, which however is itself but part of a great *empire*, extended by our virtue and our fortune to the farthest limits of the east and of the west. All these wide-spread interests must be considered; must be compared; must be reconciled if possible. We are members for a *free* country; and surely we all know, that the machine of a free constitution is no simple thing; but as intricate and as delicate, as it is valuable. We are members in a great and ancient *monarchy*; and we must preserve religiously, the true legal rights of the sovereign, which form the

key-stone that binds together the noble and well-constructed arch of our empire and our constitution. A constitution made up of balanced powers must ever be a critical thing. As such I mean to touch that part of it which comes within my reach. I know my inability, and I wish for support from every quarter. In particular I shall aim at the friendship, and shall cultivate the best correspondence, of the worthy colleague you have given me.

I trouble you no farther than once more to thank you all; you, gentlemen, for your favours; the candidates, for their temperate and polite behaviour; and the sheriffs, for a conduct which may give a model for all who are in publick stations.

MR. BURKE'S SPEECH

ON

MOVING HIS RESOLUTIONS

FOR

CONCILIATION WITH THE COLONIES;

MARCH 22, 1775.

SPEECH, *&c.*

I HOPE, Sir, that notwithstanding the austerity of the Chair, your good-nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural, that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the house full of anxiety about the event of my motion, I found to my infinite surprise, that the grand penal Bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to us from the other house *. I do confess, I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favour; by which we are put once more in possession of our deliberative capacity, upon a business so very questionable

* The Act to restrain the trade and commerce of the provinces of Massachuset's-Bay and New Hampshire, and colonies of Connecticut and Rhode Island, and Providence Plantation, in North America, to Great Britain, Ireland, and the British Islands in the West Indies; and to prohibit such provinces and colonies from carrying on any fishery on the banks of Newfoundland, and other places therein mentioned, under certain conditions and limitations.

tionable in its nature, so very uncertain in its issue. By the return of this Bill, which seemed to have taken its flight for ever, we are at this very instant nearly as free to choose a plan for our American government, as we were on the first day of the session. If, Sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were by a superiour warning voice, again to attend to America; to attend to the whole of it together; and to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject; or there is none so on this side of the grave. When I first had the honour of a seat in this house, the affairs of that continent pressed themselves upon us, as the most important and most delicate object of parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust; and having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains, to instruct myself in every thing which relates to our colonies. I was not less under the necessity of forming some fixed ideas, concerning the general policy of the British empire. Something of this sort seemed to be indispensable; in order, amidst so vast a

fluctuation

fluctuation of passions and opinions, to concenter my thoughts; to ballast my conduct; to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe, or manly, to have fresh principles to seek upon every fresh mail which should arrive from America.

At that period, I had the fortune to find myself in perfect concurrence with a large majority in this House. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation in my original sentiments. Whether this be owing to an obstinate perseverance in errour, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct, than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard any thing approaching to a censure on the motives of former parliaments to all those alterations, one fact is undoubted; that under them the state of America has been kept in continual agitation. Every thing administered as remedy to the publick complaint, if it did not produce, was at least followed by, an heightening of the distemper; until, by a variety of experiments, that

that important country has been brought into her present situation;—a situation which I will not miscall, which I dare not name; which I scarcely know how to comprehend in the terms of any description.

In this posture, Sir, things stood at the beginning of the session. About that time, a worthy member* of great parliamentary experience, who, in the year 1766, filled the chair of the American committee with much ability, took me aside; and, lamenting the present aspect of our politicks, told me, things were come to such a pass, that our former methods of proceeding in the house would be no longer tolerated. That the publick tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity. That the very vicissitudes and shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, which nothing could satisfy; whilst we accused every measure of vigour as cruel, and every proposal of lenity as weak and irresolute. The publick, he said, would not have patience to see us play the game out with our adversaries: we must produce our hand. It would be expected, that those who for many

* Mr. Rose Fuller.

many years had been active in such affairs should shew, that they had formed some clear and decided idea of the principles of colony government; and were capable of drawing out something like a platform of the ground, which might be laid for future and permanent tranquillity.

I felt the truth of what my hon. friend represented; but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking, than myself. Though I gave so far into his opinion, that I immediately threw my thoughts into a sort of parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government, except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception; and for my part, I am not ambitious of ridicule; not absolutely a candidate for disgrace.

Besides, Sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government; nor of any politicks, in which the plan is to be wholly separated from the execution. But when I saw, that anger and violence prevailed

prevailed every day more and more; and that things were hastening towards an incurable alienation of our colonies; I confess my caution gave way. I felt this, as one of those few moments in which decorum yields to an higher duty. Publick calamity is a mighty leveller; and there are occasions when any, even the slightest, chance of doing good, must be laid hold on, even by the most inconsiderable person.

To restore order and repose to an empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are, by what you ought to be, I persuaded myself, that you would not reject a reasonable proposition, because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure, that, if my proposition were futile or dangerous; if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You will

will see it just as it is; and you will treat it just as it deserves.

The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord, fomented from principle, in all parts of the empire; not peace to depend on the juridical determination of perplexing questions; or the precise marking the shadowy boundaries of a complex government. It is simple peace; sought in its natural course, and in its ordinary haunts. —It is peace sought in the spirit of peace; and laid in principles purely pacifick. I propose, by removing the ground of the difference, and by restoring the *former unsuspecting confidence of the colonies in the mother country*, to give permanent satisfaction to your people; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest, which reconciles them to British government.

My idea is nothing more. Refined policy ever has been the parent of confusion; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing

cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people, when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendour of the project, which has been lately laid upon your table by the noble lord in the blue riband *. It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace, at every instant, to keep the peace amongst them. It does not institute a magnificent

* "That when the governor, council, or assembly, or "general court, of any of his majesty's provinces or colonies "in America, shall *propose* to make provision, *according to the* "*condition, circumstances,* and *situation,* of such province or "colony, for contributing their *proportion* to the *common* "*defence* (such *proportion* to be raised under the authority of "the general court, or general assembly, of such province or "colony, and disposable by parliament) and shall engage to "make provision also for the support of the civil government, "and the administration of justice, in such province or "colony, it will be proper, *if such proposal shall be approved by* "*his majesty, and the two houses of parliament,* and for so long "as such provision shall be made accordingly, to forbear, *in* "*respect of such province or colony,* to levy any duty, tax, "or assessment, or to impose any farther duty, tax, or assess- "ment, except such duties as it may be expedient to "continue to levy or impose, for the regulation of commerce; "the nett produce of the duties last-mentioned to be carried "to the account of such province or colony respectively."— Resolution moved by Lord North in the committee; and agreed to by the house, 27th Feb. 1775.

magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalise and settle.

The plan, which I shall presume to suggest, derives, however, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the house in accepting the resolution moved by the noble lord, has admitted, notwithstanding the menacing front of our address, notwithstanding our heavy bill of pains and penalties—that we do not think ourselves precluded from all ideas of free grace and bounty.

The house has gone farther; it has declared conciliation admissible, *previous* to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted, that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. That right thus exerted is allowed to have had something reprehensible in it; something unwise, or something grievous; since, in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration; and in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed,

wholly alien from all the ancient methods and forms of parliament.

The *principle* of this proceeding is large enough for my purpose. The means proposed by the noble lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavour to shew you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or the other. In this state of things I make no difficulty in affirming, that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superiour power may offer peace with honour and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superiour; and he loses for ever that time and those chances, which, as they happen to all men, are the strength and resources of all inferiour power.

The capital leading questions on which you must this day decide, are these two. First, whether you

ought to concede; and secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observing to you) some ground. But I am sensible that a good deal more is still to be done. Indeed, Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us. Because after all our struggle, whether we will or not, we must govern America, according to that nature, and to those circumstances; and not according to our own imaginations; not according to abstract ideas of right; by no means according to mere general theories of government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavour, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

The first thing that we have to consider with regard to the nature of the object is—the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants of our own European blood and colour; besides at least

500,000 others, who form no inconsiderable part of the strength and opulence of the whole. This, Sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low, is a matter of little moment. Such is the strength with which population shoots in that part of the world, that state the numbers as high as we will, whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from villages to nations.

I put this consideration of the present and the growing numbers in the front of our deliberation; because, Sir, this consideration will make it evident to a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will shew you, that it is not to be considered as one of those *minima* which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependant, who may be neglected with little damage, and provoked with little

little danger. It will prove, that some degree of care and caution is required in the handling such an object; it will shew that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and be assured you will not be able to do it long with impunity.

But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person*, at your bar. This gentleman, after thirty-five years—it is so long since he first appeared at the same place to plead for the commerce of Great Britain—has come again before you to plead the same cause, without any other effect of time, than, that to the fire of imagination and extent of erudition, which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

Sir, I should be inexcusable in coming after such a person

* Mr. Glover.

a person with any detail; if a great part of the members who now fill the house had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view, from whence if you will look at this subject, it is impossible that it should not make an impression upon you.

I have in my hand two accounts; one a comparative state of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772. The other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the inspector general's office, which has been ever since his time so abundant a source of parliamentary information.

The export trade to the colonies consists of three great branches. The African, which, terminating almost wholly in the colonies, must be put to the account of their commerce; the West Indian; and the North American. All these are so interwoven, that the attempt to separate them, would tear to pieces the contexture of the whole; and

if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus:

Exports to North America, and the West Indies	£.483,265
To Africa	86,665
	569,930

In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows:

To North America, and the West Indies	£.4,791,734
To Africa	866,398
To which if you add the export trade from Scotland, which had in 1704 no existence	364,000
	6,022,132

From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelve-fold. This is the state of the colony trade, as compared with itself at these two periods, within this century;—and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view, that is, as compared to the whole trade of England in 1704.

The whole export trade of England, including that to the colonies, in 1704 - - - - - - - - - -	£. 6,509,000
Export to the colonies alone, in 1772	6,024,000
Difference -	485,000

The trade with America alone is now within less than £. 500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the body? The reverse. It is the very food that has nourished every other part into its

its present magnitude. Our general trade has been greatly augmented; and augmented more or less in almost every part to which it ever extended; but with this material difference; that of the six millions which in the beginning of the century constituted the whole mass of our export commerce, the colony trade was but one twelfth part; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods: and all reasoning concerning our mode of treating them must have this proportion as its basis; or it is a reasoning weak, rotten, and sophistical.

Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is, and what is past. Clouds indeed, and darkness, rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et*

et quæ sit poterit cognoscere virtus—Suppose, Sir, that the angel of this auspicious youth, foreseeing the many virtues, which made him one of the most amiable, as he is one of the most fortunate men of his age, had opened to him in vision, that, when, in the fourth generation, the third prince of the house of Brunswick had sat twelve years on the throne of that nation, which (by the happy issue of moderate and healing councils) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to an higher rank of peerage, whilst he enriched the family with a new one—If amidst these bright and happy scenes of domestick honour and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and whilst he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck, scarce visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him—" Young man, there " is America—which at this day serves for little " more than to amuse you with stories of savage " men, and uncouth manners; yet shall, before " you taste of death, shew itself equal to the whole " of that commerce which now attracts the envy " of the world. Whatever England has been

" growing

" growing to by a progressive increase of improve-
" ment, brought in by varieties of people, by
" succession of civilising conquests and civilising
" settlements in a series of seventeen hundred years,
" you shall see as much added to her by America
" in the course of a single life!" If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day!

Excuse me, Sir, if, turning from such thoughts, I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704, that province called for 11,459*l.* in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why nearly fifty times as much; for in that year the export to Pennsylvania was 507,909*l.* nearly equal to the export to all the colonies together in the first period.

I choose, Sir, to enter into these minute and particular details; because generalities, which, in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colonies, fiction

fiction lags after truth; invention is unfruitful, and imagination cold and barren.

So far, Sir, as to the importance of the object in the view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could shew how many enjoyments they procure, which deceive the burthen of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestick commerce. This would be a curious subject indeed—but I must prescribe bounds to myself in a matter so vast and various.

I pass therefore to the colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their last harvest, I am persuaded, they will export much more. At the beginning of the century, some of these colonies imported corn from the mother country. For some time past, the old world has been fed from the new. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

As

As to the wealth which the colonies have drawn from the sea by their fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy; and yet the spirit, by which that enterprising employment has been exercised, ought rather, in my opinion, to have raised your esteem and admiration. And pray, Sir, what in the world is equal to it? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis's Streights, whilst we are looking for them beneath the arctick circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen serpent of the south. Falkland Island, which seemed too remote and romantick an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them, than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude, and pursue their gigantick game along the coast of Brazil. No sea but what is vexed by their

their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hard industry to the extent to which it has been pushed by this recent people; a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt, and die away within me. My rigour relents. I pardon something to the spirit of liberty.

I am sensible, Sir, that all which I have asserted, in my detail, is admitted in the gross; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and

their

their habits. Those who understand the military art, will of course have some predilection for it. Those who wield the thunder of the state, may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favour of prudent management, than of force; considering force not as an odious, but a feeble instrument, for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connection with us.

First, Sir, permit me to observe, that the use of force alone is but *temporary*. It may subdue for a moment; but it does not remove the necessity of subduing again: and a nation is not governed, which is perpetually to be conquered.

My next objection is its *uncertainty*. Terrour is not always the effect of force; and an armament is not a victory. If you do not succeed, you are without resource; for, conciliation failing, force remains; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness; but they can never be begged as alms, by an impoverished and defeated violence.

A further objection to force is, that you *impair the object* by your very endeavours to preserve it. The thing you fought for is not the thing which

you recover; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me, than *whole America*. I do not choose to consume its strength along with our own; because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict; and still less in the midst of it. I may escape; but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the American spirit, because it is the spirit that has made the country.

Lastly, we have no sort of *experience* in favour of force as an instrument in the rule of our colonies. Their growth and their utility has been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so. But we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it; and our sin far more salutary than our penitence.

These, Sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought

ought to be pursued in the management of America, even more than its population and its commerce, I mean its *temper and character.*

In this character of the Americans, a love of freedom is the predominating feature which marks and distinguishes the whole: and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth; and this from a great variety of powerful causes; which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

First, the people of the colonies are descendants of Englishmen. England, Sir, is a nation, which still I hope respects, and formerly adored, her freedom. The colonists emigrated from you, when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in

some sensible object; and every nation has formed to itself some favourite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates; or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens, and most eloquent tongues, have been exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English constitution, to insist on this privilege of granting money as a dry point of fact, and to prove, that the right had been acknowledged in ancient parchments, and blind usages, to reside in a certain body called an house of commons. They went much farther; they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a house of commons, as an immediate representative of the people; whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle,

that

that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specifick point of taxing. Liberty might be safe, or might be endangered in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy indeed to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination, that they, as well as you, had an interest in these common principles.

They were further confirmed in this pleasing errour, by the form of their provincial legislative assemblies. Their governments are popular in an high degree; some are merely popular; in all, the popular representative is the most weighty; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from

whatever tends to deprive them of their chief importance.

If any thing were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people, is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are protestants; and of that kind, which is the most adverse to all implicit submission of mind and opinion. This is a persuasion not only favourable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in the dissenting churches, from all that looks like absolute government, is so much to be sought in their religious tenets, as in their history. Every one knows that the Roman Catholick religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them; and received great favour and every kind of support from authority. The church of England too was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world; and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All protestantism, even the most cold and passive,

passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance; it is the dissidence of dissent; and the protestantism of the protestant religion. This religion, under a variety of denominations, agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces; where the church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing most probably the tenth of the people. The colonists left England when this spirit was high; and in the emigrants was the highest of all: and even that stream of foreigners, which has been constantly flowing into these colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner, that some gentlemen object to the latitude of this description; because in the southern colonies the church of England forms a large body, and has a regular establishment. It is certainly true. There is however a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is that in Virginia and the Carolinas, they have

a vast multitude of slaves. Where this is the case in any part of the world, those who are free, are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there, that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to commend the superiour morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and these people of the southern colonies are much more strongly, and with an higher and more stubborn spirit, attached to liberty, than those to the northward. Such were all the ancient commonwealths; such were our Gothick ancestors; such in our days were the Poles; and such will be all masters of slaves, who are not slaves themselves. In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, Sir, to add another circumstance in our colonies, which contributes no mean part towards the growth and effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general a study.

The

The profession itself is numerous and powerful; and in most provinces it takes the lead. The greater number of the deputies sent to the congress were lawyers. But all who read, and most do read, endeavour to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commentaries in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states, that all the people in his government are lawyers, or smatterers in law; and that in Boston they have been enabled, by successful chicane, wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say, that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honourable and learned friend * on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honours and great emoluments do not win over this knowledge to the service

* The Attorney General.

service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources. In other countries, the people, more simple, and of a less mercurial cast, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance; and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance, in weakening government. Seas roll, and months pass, between the order and the execution: and the want of a speedy explanation of a single point, is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea. But there a power steps in, that limits the arrogance of raging passions and furious elements, and says, "So far shalt thou go, and no farther." Who are you, that should fret and rage, and bite the

the chains of nature?—Nothing worse happens to you, than does to all nations, who have extensive empire; and it happens in all the forms into which empire can be thrown. In large bodies, the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt, and Arabia, and Curdistan, as he governs Thrace; nor has he the same dominion in Crimea and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all; and the whole of the force and vigour of his authority in his centre, is derived from a prudent relaxation in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed, as you are in yours. She complies too; she submits; she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

Then, Sir, from these six capital sources; of descent; of form of government; of religion in the northern provinces; of manners in the southern; of education; of the remoteness of situation from the first mover of government; from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, and increased with the increase of their wealth; a spirit, that, unhappily

meeting

meeting with an exercise of power in England, which, however lawful, is not reconcileable to any ideas of liberty, much less with theirs, has kindled this flame, that is ready to consume us.

I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired, more reconcileable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded, that their liberty is more secure when held in trust for them by us (as their guardians during a perpetual minority) than with any part of it in their own hands. But the question is, not whether their spirit deserves praise or blame; —what, in the name of God, shall we do with it? You have before you the object; such as it is, with all its glories, with all its imperfections on its head. You see the magnitude; the importance; the temper; the habits; the disorders. By all these considerations, we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politicks, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For, what astonishing and incredible

incredible things have we not seen already? What monsters have not been generated from this unnatural contention? Whilst every principle of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately, all authority in America seemed to be nothing but an emanation from yours. Even the popular part of the colony constitution derived all its activity, and its first vital movement, from the pleasure of the crown. We thought, Sir, that the utmost which the discontented colonists could do, was to disturb authority; we never dreamt they could of themselves supply it; knowing in general what an operose business it is, to establish a government absolutely new. But having, for our purposes in this contention, resolved, that none but an obedient assembly should sit, the humours of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution, or the troublesome formality of an election. Evident necessity, and tacit consent, have done the business in an instant. So well they have done it, that Lord Dunmore (the account is among

among the fragments on your table) tells you, that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called; not the name of governour, as formerly, or committee, as at present. This new government has originated directly from the people; and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from hence is this; that the colonists having once found the possibility of enjoying the advantages of order, in the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind, as they had appeared before the trial.

Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachuset. We were confident, that the first feeling, if not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigour, for near a twelvemonth, without governour,

governour, without publick council, without judges, without executive magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us, that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be; or that we have not at all adverted to some other far more important, and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further experiments, which tend to put to the proof any more of these allowed opinions, which contribute so much to the publick tranquillity. In effect, we suffer as much at home, by this loosening of all ties, and this concussion of all established opinions, as we do abroad. For, in order to prove that the Americans have no right to their liberties, we are every day endeavouring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

But, Sir, in wishing to put an end to pernicious experiments,

experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state, that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit, which prevails in your colonies, and disturbs your government. These are—to change that spirit, as inconvenient, by removing the causes. To prosecute it as criminal. Or, to comply with it as necessary. I would not be guilty of an imperfect enumeration; I can think of but these three. Another has indeed been started, that of giving up the colonies; but it met so slight a reception, that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing.

The first of these plans, to change the spirit as inconvenient, by removing the causes, I think is the most like a systematick proceeding. It is radical in its principle; but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

As the growing population of the colonies is

evidently one cause of their resistance, it was last session mentioned in both houses, by men of weight, and received not without applause, that, in order to check this evil, it would be proper for the crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands, as to afford room for an immense future population, although the crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population.

But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these deserts. If you drive the people from one place, they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Apalachian mountains. From thence they behold before them an immense plain, one vast, rich, level meadow; a square of five hundred miles. Over this they would

would wander, without a possibility of restraint; they would change their manners with the habits of their life; would soon forget a government, by which they were disowned; would become hordes of English Tartars; and, pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governours and your counsellors, your collectors and comptrollers, and of all the slaves that adhered to them. Such would, and, in no long time, must be, the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, "Increase and multiply." Such would be the happy result of an endeavour to keep as a lair of wild beasts, that earth, which God, by an express charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts; that the ruling power should never be wholly out of sight. We have settled all we could; and we have carefully attended every settlement with government.

Adhering, Sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project

project of hedging-in population to be neither prudent nor practicable.

To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shewn a disposition to a system of this kind; a disposition even to continue the restraint after the offence; looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence, as very formidable. In this, however, I may be mistaken. But when I consider, that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous, to make them unserviceable, in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortune of all states, when they who are too weak to contribute

to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

The temper and character, which prevail in our colonies, are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation, in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale, would detect the imposition; your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

I think it is nearly as little in our power to change their republican religion, as their free descent; or to substitute the Roman Catholick, as a penalty; or the Church of England, as an improvement. The mode of inquisition and dragooning is going out of fashion in the old world; and I should not confide much to their efficacy in the new. The education of the Americans is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science; to banish their lawyers from the courts of laws; or to quench the lights of their assemblies, by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating

annihilating the popular assemblies, in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us; not quite so effectual; and perhaps, in the end, full as difficult to be kept in obedience.

With regard to the high aristocratick spirit of Virginia and the southern colonies, it has been proposed, I know, to reduce it, by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists; yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty, would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves; and in this auspicious scheme, we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too; and arm servile hands in defence of freedom? A measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters? From that nation, one of whose causes of

quarrel with those masters, is their refusal to deal any more in that inhuman traffick? An offer of freedom from England, would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue. "Ye gods, annihilate "but space and time, and make two lovers "happy!"—was a pious and passionate prayer; —but just as reasonable, as many of the serious wishes of very grave and solemn politicians.

If then, Sir, it seems almost desperate to think of any alterative course, for changing the moral causes (and not quite easy to remove the natural) which produce prejudices irreconcileable to the late exercise of our authority; but that the spirit infallibly will continue; and, continuing, will produce such effects, as now embarrass us; the second mode under consideration is, to prosecute that spirit in its overt acts, as *criminal.*

At this proposition, I must pause a moment. The

The thing seems a great deal too big for my ideas of jurisprudence. It should seem, to my way of conceiving such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantick, to apply the ordinary ideas of criminal justice to this great publick contest. I do not know the method of drawing up an indictment against an whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar. I am not ripe to pass sentence on the gravest publick bodies, entrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think, that for wise men this is not judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

Perhaps, Sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this; that an empire is the aggregate of many states, under one common head; whether this head be a monarch,

or a presiding republick. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges, and the supreme common authority, the line may be extremely nice. Of course disputes, often too, very bitter disputes, and much ill blood, will arise. But though every privilege is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather *ex vi termini*, to imply a superiour power. For to talk of the privileges of a state or of a person, who has no superiour, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels, among the component parts of a great political union of communities, I can scarcely conceive any thing more completely imprudent, than for the head of the empire to insist, that, if any privilege is pleaded against his will, or his acts, that his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces to make no distinctions on their part? Will it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery?

slavery? It may not always be quite convenient to impress dependent communities with such an idea.

We are indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, Sir. But I confess, that the character of judge in my own cause, is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect, that, in my little reading upon such contests as these, the sense of mankind has, at least, as often decided against the superiour as the subordinate power. Sir, let me add too, that the opinion of my having some abstract right in my favour would not put me much at my ease in passing sentence; unless I could be sure, that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things so circumstanced, that I see the same party, at once a civil litigant against me in point of right, and a culprit before me; while I sit as criminal judge, on acts of his, whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then

put, by the complexity of human affairs, into strange situations; but justice is the same, let the judge be in what situation he will.

There is, Sir, also a circumstance which convinces me, that this mode of criminal proceeding is not (at least in the present stage of our contest) altogether expedient; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachuset's Bay, as they had formerly addressed to have traitors brought hither under an act of Henry the Eighth, for trial. For though rebellion is declared, it is not proceeded against as such; nor have any steps been taken towards the apprehension or conviction of any individual offender, either on our late or our former address; but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent; but it shews how difficult it is to apply these juridical ideas to our present case.

In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made

made towards our object, by the sending of a force, which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less.—When I see things in this situation, after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion, that the plan itself is not correctly right.

If then the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or if applicable, are in the highest degree inexpedient, what way yet remains? No way is open, but the third and last—to comply with the American spirit as necessary; or, if you please to submit to it, as a necessary evil.

If we adopt this mode; if we mean to conciliate and concede; let us see of what nature the concession ought to be: to ascertain the nature of our concession, we must look at their complaint. The colonies complain, that they have not the characteristick mark and seal of British freedom. They complain, that they are taxed in a parliament, in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask; not what you may think better for them, but of a kind totally different. Such an

act may be a wise regulation, but it is no concession; whereas our present theme is the mode of giving satisfaction.

Sir, I think you must perceive, that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true; I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine, whether the giving away a man's money be a power excepted and reserved out of the general trust of government; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature. Or whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other; where reason is perplexed; and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides; and there is no sure footing in the middle. This point is the *great Serbonian bog, betwixt Damiata and Mount Casius old, where armies whole have sunk.* I do not

not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable; but whether it is not your interest to make them happy. It is not, what a lawyer tells me, I *may* do; but what humanity, reason, and justice, tell me, I ought to do. Is a politick act the worse for being a generous one? Is no concession proper, but that which is made from your want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles, and your magazines stuffed with arms to enforce them? What signify all those titles, and all those arms? Of what avail are they, when the reason of the thing tells me, that the assertion of my title is the loss of my suit; and that I could do nothing but wound myself by the use of my own weapons?

Such is stedfastly my opinion of the absolute necessity of keeping up the concord of this empire by a unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude; that they had solemnly abjured all the rights of citizens; that they had made a vow to renounce all ideas of liberty for them and their posterity, to all generations, yet I should hold myself obliged to conform to the temper I found universally

universally prevalent in my own day, and to govern two million of men, impatient of servitude, on the principles of freedom. I am not determining a point of law; I am restoring tranquillity; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we yield as matter of right, or grant as matter of favour, is *to admit the people of our colonies into an interest in the constitution*; and, by recording that admission in the journals of parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean for ever to adhere to that solemn declaration of systematick indulgence.

Some years ago, the repeal of a revenue act, upon its understood principle, might have served to shew, that we intended an unconditional abatement of the exercise of a taxing power. Such a measure was then sufficient to remove all suspicion, and to give perfect content. But unfortunate events, since that time, may make something further necessary; and not more necessary for the satisfaction of the colonies, than for the dignity and consistency of our own future proceedings.

I have taken a very incorrect measure of the disposition of the house, if this proposal in itself would

would be received with dislike. I think, Sir, we have few American financiers. But our misfortune is, we are too acute; we are too exquisite in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of parliamentary concession freely confess, that they hope no good from taxation; but they apprehend the colonists have further views; and if this point were conceded, they would instantly attack the trade laws. These gentlemen are convinced, that this was the intention from the beginning; and the quarrel of the Americans with taxation was no more than a cloke and cover to this design. Such has been the language even of a gentleman* of real moderation, and of a natural temper so well adjusted to fair and equal government. I am, however, Sir, not a little surprised at this kind of discourse, whenever I hear it; and I am the more surprised, on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths, and on the same day.

For instance, when we allege, that it is against reason to tax a people under so many restraints in trade as the Americans, the noble Lord† in the blue riband shall tell you, that the restraints on trade are futile and useless; of no advantage to us, and

* Mr. Rice. † Lord North.

and of no burthen to those on whom they are imposed; that the trade to America is not secured by the acts of navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes; when the scheme is dissected; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the colonies; when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a clear admission of the futility of the scheme; then, Sir, the sleeping trade laws revive from their trance; and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the laws of trade.

Then, Sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value, and yet one is always to be defended for the sake of the other. But I cannot agree with the noble Lord, nor with the pamphlet from whence he seems to have borrowed these ideas, concerning the inutility of the trade laws. For without idolizing them, I am sure they are still, in many ways, of great use to us; and in

former times, they have been of the greatest. They do confine, and they do greatly narrow, the market for the Americans. But my perfect conviction of this, does not help me in the least to discern how the revenue laws form any security whatsoever to the commercial regulations; or that these commercial regulations are the true ground of the quarrel; or, that the giving way in any one instance of authority, is to lose all that may remain unconceded.

One fact is clear and indisputable. The publick and avowed origin of this quarrel, was on taxation. This quarrel has indeed brought on new disputes on new questions; but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two be the real radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain? Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what

what it is avowed to be. And I would, Sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures? Surely it is preposterous at the very best. It is not justifying your anger, by their misconduct; but it is converting your ill-will into their delinquency.

But the colonies will go further.—Alas! alas! when will this speculating against fact and reason end?—What will quiet these panick fears which we entertain of the hostile effect of a conciliatory conduct? Is it true, that no case can exist, in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is there any thing peculiar in this case, to make a rule for itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim, that, the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel?

All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience; they did not, Sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

In forming a plan for this purpose, I endeavoured to put myself in that frame of mind, which was the

the most natural, and the most reasonable; and which was certainly the most probable means of securing me from all errour. I set out with a perfect distrust of my own abilities; a total renunciation of every speculation of my own; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution, and so flourishing an empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, and obtained the other.

During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say, that they ought to consult the genius of Philip the Second. The genius of Philip the Second might mislead them; and the issue of their affairs shewed, that they had not chosen the most perfect standard. But, Sir, I am sure that I shall not be misled, when, in a case of constitutional difficulty, I consult the genius of the English constitution. Consulting at that oracle (it was with all due humility and piety) I found four capital examples in a similar case before me: those of Ireland, Wales, Chester, and Durham.

Ireland, before the English conquest, though never governed by a despotick power, had no parliament. How far the English parliament itself was at that time modelled according to the present

form, is disputed among antiquaries. But we have all the reason in the world to be assured, that a form of parliament, such as England then enjoyed, she instantly communicated to Ireland; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage, and the feudal knighthood, the roots of our primitive constitution, were early transplanted into that soil; and grew and flourished there. Magna Charta, if it did not give us originally the house of commons, gave us at least a house of commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence. English authority and English liberty had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davis shews beyond a doubt, that the refusal of a general communication of these rights, was the true cause why Ireland was five hundred years in subduing; and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered, that nothing could make that country English, in civility and allegiance, but your laws and your forms

forms of legislature. It was not English arms, but the English constitution, that conquered Ireland. From that time, Ireland has ever had a general parliament, as she had before a partial parliament. You changed the people; you altered the religion; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings; you restored them; you altered the succession to theirs, as well as to your own crown; but you never altered their constitution; the principle of which was respected by usurpation; restored with the restoration of monarchy, and established, I trust, for ever, by the glorious Revolution. This has made Ireland the great and flourishing kingdom that it is; and from a disgrace and a burthen intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles, and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment if the casual deviations from them, at such times, were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches

in the constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve, if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come; and learn to respect that only source of publick wealth in the British empire.

My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might have been, was destroyed; and no good one was substituted in its place. The care of that tract was put into the hands of lords marchers—a form of government of a very singular kind; a strange heterogeneous monster, something between hostility and government; perhaps it has a sort of resemblance, according to the modes of those times, to that of commander in chief at present, to whom all civil power is granted as secondary. The manners of the Welsh nation followed the genius of the government; the people were ferocious, restive, savage, and uncultivated; sometimes composed, never pacified. Wales within itself, was in perpetual disorder; and it kept the frontier of

England

England in perpetual alarm. Benefits from it to the state, there were none. Wales was only known to England by incursion and invasion.

Sir, during that state of things, parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained, that his trial should be always by English. They made acts to restrain trade, as you do; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute-book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales.

Here we rub our hands—A fine body of precedents for the authority of parliament and the use of it!—I admit it fully; and pray add likewise to those precedents, that all the while, Wales rid this

kingdom like an *incubus*; that it was an unprofitable and oppressive burthen; and that an Englishman travelling in that country could not go six yards from the high road without being murdered.

The march of the human mind is slow. Sir, it was not, until after two hundred years, discovered, that by an eternal law, Providence had decreed vexation to violence; and poverty to rapine. Your ancestors did however at length open their eyes to the ill husbandry of injustice. They found that the tyranny of a free people could of all tyrannies the least be endured; and that laws made against a whole nation were not the most effectual methods for securing its obedience. Accordingly, in the twenty-seventh year of Henry VIII. the course was entirely altered. With a preamble stating the entire and perfect rights of the crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established; the military power gave way to the civil; the marches were turned into counties. But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties, the grant of their own property, seemed a thing so incongruous; that eight years after, that is, in the thirty-fifth of that reign, a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales,

Wales, by act of Parliament. From that moment, as by a charm, the tumults subsided; obedience was restored; peace, order, and civilization, followed in the train of liberty—When the day-star of the English constitution had arisen in their hearts, all was harmony within and without—

- - - Simul alba nautis
Stella refulsit,
Defluit saxis agitatus humor;
Concidunt venti, fugiúntque nubes,
Et minax (quòd sic voluere) ponto
Unda recumbit.

The very same year the county palatine of Chester received the same relief from its oppressions, and the same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others; and from thence Richard II. drew the standing army of archers, with which for a time he oppressed England. The people of Chester applied to parliament in a petition penned as I shall read to you:

" To the king our sovereign lord, in most " humble wise shewn unto your excellent majesty, " the inhabitants of your grace's county palatine " of Chester; That where the said county palatine " of Chester is and hath been always hitherto

" exempt, excluded and separated out and from " your high court of parliament, to have any " knights and burgesses within the said court; by " reason whereof the said inhabitants have hither- " to sustained manifold disherisons, losses, and " damages, as well in their lands, goods, and bodies, " as in the good, civil, and politick governance " and maintenance of the commonwealth of their " said country: (2.) And forasmuch as the said " inhabitants have always hitherto been bound by " the acts and statutes made and ordained by your " said highness, and your most noble progenitors, " by authority of the said court, as far forth as " other counties, cities, and boroughs have been, " that have had their knights and burgesses within " your said court of parliament, and yet have had " neither knight ne burgess there for the said " county palatine; the said inhabitants, for lack " thereof, have been oftentimes touched and " grieved with acts and statutes made within the " said court, as well derogatory unto the most " ancient jurisdictions, liberties and privileges of " your said county palatine, as prejudicial unto " the commonwealth, quietness, rest, and peace of " your grace's most bounden subjects inhabiting " within the same."

What did parliament with this audacious address?—Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from

from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman?—They took the petition of grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress; and consecrated its principle to all ages in the sanctuary of legislation.

Here is my third example. It was attended with the success of the two former. Chester, civilised as well as Wales, has demonstrated that freedom and not servitude is the cure of anarchy; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of Chester was followed in the reign of Charles II. with regard to the county palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the Chester act; and without affecting the abstract extent of the authority of parliament, it recognizes the equity of not suffering any considerable district in which the British subjects may act as a body, to be taxed without their own voice in the grant.

Now if the doctrines of policy contained in these preambles,

preambles, and the force of these examples in the acts of parliaments, avail any thing, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? The preamble of the act of Henry VIII. says, the Welsh speak a language no way resembling that of his majesty's English subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000; not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? You made fifteen for Wales. But your legislative authority is perfect with regard to America; was it less perfect in Wales, Chester, and Durham? But America is virtually represented. What! does the electrick force of virtual representation more easily pass over the Atlantick, than pervade Wales, which lies in your neighbourhood; or than Chester and Durham, surrounded by abundance of representation that is actual and palpable? But, Sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near,

and

and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote?

You will now, Sir, perhaps imagine, that I am on the point of proposing to you a scheme for a representation of the colonies in parliament. Perhaps I might be inclined to entertain some such thought; but a great flood stops me in my course. *Opposuit natura*—I cannot remove the eternal barriers of the creation. The thing in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation. But I do not see my way to it; and those who have been more confident, have not been more successful. However, the arm of publick benevolence is not shortened; and there are often several means to the same end. What nature has disjoined in one way, wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how? Where? What substitute?

Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths; not to the Republick of Plato, not to the Utopia of More; not to the Oceana of Harrington.

Harrington. It is before me—It is at my feet, *and the rude swain treads daily on it with his clouted shoon.* I only wish you to recognize, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in acts of parliament; and, as to the practice, to return to that mode which an uniform experience has marked out to you, as best; and in which you walked with security, advantage, and honour, until the year 1763.

My resolutions therefore mean to establish the equity, and justice of a taxation of America, by *grant*, and not by *imposition*. To mark the *legal competency* of the colony assemblies for the support of their government in peace, and for publick aids in time of war. To acknowledge that this legal competency has had *a dutiful and beneficial exercise*; and that experience has shewn the *benefit of their grants*, and the *futility of parliamentary taxation as a method of supply.*

These solid truths compose six fundamental propositions. There are three more resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitious whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence, that, if you admitted

admitted these, you would command an immediate peace; and with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact; and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, and not any management of mine.

Sir, I shall open the whole plan to you together, with such observations on the motions as may tend to illustrate them where they may want explanation. The first is a resolution—"That the colonies and "plantations of Great Britain in North America, "consisting of fourteen separate governments, and "containing two millions and upwards of free "inhabitants, have not had the liberty and privilege "of electing and sending any knights and bur-"gesses, or others, to represent them in the high "court of parliament."—This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the constitution; it is taken nearly *verbatim* from acts of parliament.

The second is like unto the first—"That the "said colonies and plantations have been liable "to, and bounden by, several subsidies, payments, "rates, and taxes, given and granted by parliament, "though the said colonies and plantations have "not their knights and burgesses, in the said "high

" high court of parliament, of their own election, " to represent the condition of their country; by " lack whereof they have been oftentimes touched " and grieved by subsidies given, granted, and " assented to, in the said court, in a manner pre- " judicial to the commonwealth, quietness, rest, " and peace of the subjects inhabiting within the " same."

Is this description too hot, or too cold, too strong, or too weak? Does it arrogate too much to the supreme legislature? Does it lean too much to the claims of the people? If it runs into any of these errours, the fault is not mine. It is the language of your own ancient acts of parliament.

Non meus hic sermo, sed quæ præcepit Ofellus,
Rusticus, abnormis sapiens.

It is the genuine produce of the ancient, rustick, manly, home-bred sense of this country.—I did not dare to rub off a particle of the venerable rust that rather adorns and preserves, than destroys the metal. It would be a profanation to touch with a tool the stones which construct the sacred altar of peace. I would not violate with modern polish the ingenuous and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering, the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers; where I can neither wander nor stumble. Determining to fix articles of peace,

I was resolved not to be wise beyond what was written; I was resolved to use nothing else than the form of sound words; to let others abound in their own sense; and carefully to abstain from all expressions of my own. What the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure is safe.

There are indeed words expressive of grievance in this second resolution, which those who are resolved always to be in the right, will deny to contain matter of fact, as applied to the present case; although parliament thought them true, with regard to the counties of Chester and Durham. They will deny that the Americans were ever "touched and grieved" with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence for this denial. But men may be sorely touched and deeply grieved in their privileges, as well as in their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the two-pence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offence on the part of those who enjoyed such favours, operate as grievances. But were the Americans then not touched and grieved by the taxes,

taxes, in some measure, merely as taxes? If so, why were they almost all, either wholly repealed or exceedingly reduced? Were they not touched and grieved, even by the regulating duties of the sixth of George II? Else why were the duties first reduced to one third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the stamp act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which, Lord Hillsborough tells you (for the ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the resolution of the noble lord in the blue riband, now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions?

The next proposition is — "That, from the "distance of the said colonies, and from other "circumstances, no method hath hitherto been "devised for procuring a representation in parlia- "ment for the said colonies." This is an assertion of a fact. I go no further on the paper; though in my private judgment, an useful representation

is

is impossible; I am sure it is not desired by them; nor ought it perhaps by us; but I abstain from opinions.

The fourth resolution is—"That each of the "said colonies hath within itself a body, chosen in "part, or in the whole, by the freemen, free-"holders, or other free inhabitants thereof, com-"monly called the General Assembly or General "Court, with powers legally to raise, levy, and "assess, according to the several usage of such "colonies, duties and taxes towards defraying all "sorts of publick services."

This competence in the colony assemblies is certain. It is proved by the whole tenour of their acts of supply in all the assemblies, in which the constant style of granting is, "an aid to his "majesty;" and acts granting to the crown have regularly for near a century passed the publick offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British parliament can grant to the crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform unbroken tenour every session. Sir, I am surprised, that this doctrine should come from some of the law servants of the crown. I say, that if the crown could be responsible, his majesty—but certainly the ministers, and even these law officers themselves,

through whose hands the acts pass biennially in Ireland, or annually in the colonies, are in an habitual course of committing impeachable offences. What habitual offenders have been all presidents of the council, all secretaries of state, all first lords of trade, all attornies and all solicitors general! However, they are safe; as no one impeaches them; and there is no ground of charge against them, except in their own unfounded theories.

The fifth resolution is also a resolution of fact— "That the said general assemblies, general courts, "or other bodies legally qualified as aforesaid, have "at sundry times freely granted several large sub- "sidies and publick aids for his majesty's service, "according to their abilities, when required there- "to by letter from one of his majesty's principal "secretaries of state; and that their right to grant "the same, and their cheerfulness and sufficiency "in the said grants, have been at sundry times "acknowledged by parliament." To say nothing of their great expences in the Indian wars; and not to take their exertion in foreign ones, so high as the supplies in the year 1695; not to go back to their publick contributions in the year 1710; I shall begin to travel only where the journals give me light; resolving to deal in nothing but fact, authenticated by parliamentary record; and to build myself wholly on that solid basis.

On

On the fourth of April, 1748 *, a committee of this house came to the following resolution:

" Resolved,

" That it is the opinion of this committee, *That* " *it is just and reasonable* that the several provinces " and colonies of Massachuset's Bay, New Hamp- " shire, Connecticut, and Rhode Island, be reim- " bursed the expences they have been at in taking " and securing to the crown of Great Britain, the " island of Cape Breton and its dependencies."

These expences were immense for such colonies. They were above 200,000 *l.* sterling; money first raised and advanced on their publick credit.

On the 28th of January, 1756 †, a message from the king came to us, to this effect—" His majesty, " being sensible of the zeal and vigour with which " his faithful subjects of certain colonies in North " America have exerted themselves in defence of " his majesty's just rights and possessions, recom- " mends it to this house to take the same into " their consideration, and to enable his majesty to " give them such assistance as may be a *proper* " *reward and encouragement.*"

On the 3d of February 1756 ‡, the house came to

* Journals of the House, Vol. xxv.

† Ibid. Vol. xxvii. ‡ Ibid.

to a suitable resolution, expressed in words nearly the same as those of the message: but with the further addition, that the money then voted was as an *encouragement* to the colonies to exert themselves with vigour. It will not be necessary to go through all the testimonies which your own records have given to the truth of my resolutions, I will only refer you to the places in the journals:

Vol. xxvii.—16th and 19th May, 1757.
Vol. xxviii.—June 1st, 1758—April 26th and 30th, 1759—March 26th and 31st, and April 28th, 1760—Jan. 9th and 20th, 1761.
Vol. xxix.—Jan. 22d and 26th, 1762—March 14th and 17th, 1763.

Sir, here is the repeated acknowledgment of parliament, that the colonies not only gave, but gave to satiety. This nation has formally acknowledged two things; first, that the colonies had gone beyond their abilities, parliament having thought it necessary to reimburse them; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not bestowed for acts that are unlawful; and encouragement is not held out to things that deserve reprehension.

repreh nsion. My resolution therefore does nothing more than collect into one proposition, what is scattered through your journals. I give you nothing but your own; and you cannot refuse in the gross, what you have so often acknowledged in detail. The admission of this, which will be so honourable to them and to you, will, indeed, be mortal to all the miserable stories, by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinned in their ears, that reason and justice demanded, that the Americans, who paid no taxes, should be compelled to contribute. How did that fact of their paying nothing, stand, when the taxing system began? When Mr. Grenville began to form his system of American revenue, he stated in this house, that the colonies were then in debt two million six hundred thousand pounds sterling money; and was of opinion they would discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine: the reduction was not completed till some years after, and at

different times in different colonies. However, the taxes after the war continued too great to bear any addition, with prudence or propriety; and when the burthens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony, since that time, ever has had any requisition whatsoever made to it.

We see the sense of the crown, and the sense of parliament, on the productive nature of a *revenue by grant.* Now search the same journals for the produce of the *revenue by imposition*—Where is it? —let us know the volume and the page—what is the gross, what is the net produce?—to what service is it applied?—how have you appropriated its surplus?—What, can none of the many skilful index-makers, that we are now employing, find any trace of it?—Well, let them and that rest together.—But are the journals, which say nothing of the revenue, as silent on the discontent?—Oh no! a child may find it. It is the melancholy burthen and blot of every page.

I think then I am, from those journals, justified in the sixth and last resolution, which is—" That " it hath been found by experience, that the " manner of granting the said supplies and aids, by " the said general assemblies, hath been more agree- " able to the said colonies, and more beneficial, " and conducive to the publick service, than the

" mode of giving and granting aids in parliament, " to be raised and paid in the said colonies." This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say, that you were driven by any necessity to an exercise of the utmost rights of legislature. You cannot assert, that you took on yourselves the task of imposing colony taxes, from the want of another legal body, that is competent to the purpose of supplying the exigencies of the state without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

The question now, on all this accumulated matter, is;—whether you will chuse to abide by a profitable experience, or a mischievous theory; whether you chuse to build on imagination or fact; whether you prefer enjoyment or hope; satisfaction in your subjects, or discontent?

If these propositions are accepted, every thing which has been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, I have drawn the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner: " That " it may be proper to repeal an act, made in " the seventh year of the reign of his present " majesty, intituled, An act for granting certain " duties in the British colonies and plantations in

" America; for allowing a drawback of the duties " of customs upon the exportation from this king- " dom, of coffee and cocoa-nuts of the produce of " the said colonies or plantations; for discontinuing " the drawbacks payable on China earthenware " exported to America; and for more effectually " preventing the clandestine running of goods " in the said colonies and plantations.—And " that it may be proper to repeal an act, made in " the fourteenth year of the reign of his present " majesty, intituled, An act to discontinue, in " such manner, and for such time, as are therein " mentioned, the landing and discharging, lading " or shipping, of goods, wares, and merchandize, at " the town and within the harbour of Boston, in " the province of Massachuset's Bay, in North " America.—And that it may be proper to repeal " an act, made in the fourteenth year of the reign " of his present majesty, intituled, An act for the " impartial administration of justice, in the cases " of persons questioned for any acts done by them, " in the execution of the law, or for the suppres- " sion of riots and tumults, in the province of " Massachuset's Bay, in New England.—And that " it may be proper to repeal an act, made in the " fourteenth year of the reign of his present ma- " jesty, intituled, An act for the better regulating " the government of the province of Massachuset's " Bay, in New England.—And, also, that it may

" be

" be proper to explain and amend an act, made " in the thirty-fifth year of the reign of King " Henry the Eighth, intituled, An act for the " trial of treasons committed out of the king's " dominions."

I wish, Sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the king's pleasure) it was passed, as I apprehend, with less regularity, and on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the restraining bill of the present session does not go to the length of the Boston Port Act. The same ideas of prudence, which induced you not to extend equal punishment to equal guilt, even when you were punishing, induce me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

Ideas of prudence, and accommodation to circumstances, prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachuset's Colony, though the crown has far less power in the two former provinces than it enjoyed in the latter; and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have

have weight with me in restoring the charter of Massachuset's Bay. Besides, Sir, the act which changes the charter of Massachuset's is in many particulars so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it; as several of its provisions tend to the subversion of all publick and private justice. Such, among others, is the power in the governour to change the sheriff at his pleasure; and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

The act for bringing persons accused of committing murder under the orders of government to England for trial, is but temporary. That act has calculated the probable duration of our quarrel with the colonies; and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation; and therefore must, on my principle, get rid of that most justly obnoxious act.

The act of Henry the Eighth, for the trial of treasons, I do not mean to take away, but to confine it to its proper bounds and original intention; to make it expressly for trial of treasons (and the greatest treasons may be committed) in places where the jurisdiction of the crown does not extend.

Having guarded the privileges of local legislature, I would next secure to the colonies a fair and unbiassed

unbiassed judicature; for which purpose, Sir, I propose the following resolution: "That, from "the time when the general assembly or general "court of any colony or plantation in North "America, shall have appointed by act of assembly, "duly confirmed, a settled salary to the offices of "the chief justice and other judges of the superiour "court, it may be proper, that the said chief "justice and other judges of the superiour courts "of such colony, shall hold his and their office and "offices during their good behaviour; and shall "not be removed therefrom, but when the said "removal shall be adjudged by his majesty in "council, upon a hearing on complaint from the "general assembly, or on a complaint from the "governour, or council, or the house of repre-"sentatives severally, of the colony in which the "said chief justice and other judges have exercised "the said offices."

The next resolution relates to the courts of admiralty.

It is this:—"That it may be proper to regu-"late the courts of admiralty, or vice admiralty, "authorized by the 15th chap. of the 4th of George "the Third, in such a manner as to make the "same more commodious to those who sue, or "are sued, in the said courts, and to provide for "the more decent maintenance of the judges in "the same."

These

These courts I do not wish to take away; they are in themselves proper establishments. This court is one of the capital securities of the act of navigation. The extent of its jurisdiction, indeed, has been increased; but this is altogether as proper, and is, indeed, on many accounts, more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect, deny justice; and a court, partaking in the fruits of its own condemnation, is a robber. The congress complain, and complain justly of this grievance *.

These are the three consequential propositions. I have thought of two or three more; but they came rather too near detail, and to the province of executive government, which I wish parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed, will be, I hope, rather unseemly incumbrances on the building, than very materially detrimental to its strength and stability.

Here, Sir, I should close; but that I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be, that, in resorting

* The Solicitor General informed Mr. B. when the resolutions were separately moved, that the grievance of the judges partaking of the profits of the seizure had been redressed by office; accordingly the resolution was amended.

resorting to the doctrine of our ancestors, as contained in the preamble to the Chester act, I prove too much; that the grievance from a want of representation stated in that preamble, goes to the whole of legislation as well as to taxation. And that the colonies grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer, that *the words are the words of parliament, and not mine*; and, that all false and inconclusive inferences, drawn from them, are not mine; for I heartily disclaim any such inference. I have chosen the words of an act of parliament, which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of parliament, formerly moved to have read at your table in confirmation of his tenets. It is true, that Lord Chatham considered these preambles as declaring strongly in favour of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume, that these preambles are as favourable as possible to both, when properly understood; favourable both to the rights of parliament, and to the privilege of the dependencies of this crown? But, Sir, the object of grievance in my

my resolution, I have not taken from the Chester, but from the Durham act, which confines the hardship of want of representation to the case of subsidies; and which therefore falls in exactly with the case of the colonies. But whether the unrepresented counties were *de jure*, or *de facto*, bound, the preambles do not accurately distinguish; nor indeed was it necessary; for whether *de jure*, or *de facto*, the legislature thought the exercise of the power of taxing, as of right, or as of fact without right, equally a grievance, and equally oppressive.

I do not know, that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct, or their expressions, in a state of disturbance and irritation. It is besides a very great mistake to imagine, that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which we support any given part of our constitution; or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment,

enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences; we give and take; we remit some rights, that we may enjoy others; and, we choose rather to be happy citizens, than subtle disputants. As we must give away some natural liberty, to enjoy civil advantages; so we must sacrifice some civil liberties, for the advantages to be derived from the communion and fellowship of a great empire. But in all fair dealings the thing bought, must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear, to pay for it all essential rights, and all the intrinsick dignity of human nature. None of us who would not risk his life, rather than fall under a government purely arbitrary. But although there are some amongst us who think our constitution wants many improvements, to make it a complete system of liberty, perhaps none who are of that opinion would think it right to aim at such improvement, by disturbing his country, and risking every thing that is dear to him. In every arduous enterprise, we consider what we are to lose, as well as what we are to gain; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to

to make it more. These are *the cords of man.* Man acts from adequate motives relative to his interest; and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it; and they will rather be inclined to respect the acts of a superintending legislature; when they see them the acts of that power, which is itself the security, not the rival, of their secondary importance. In this assurance, my mind most perfectly acquiesces; and I confess, I feel not the least alarm, from the discontents which are to arise, from putting people at their ease; nor do I apprehend the destruction of this empire, from giving, by an act of free grace and indulgence, to two millions of my fellow citizens, some share of those rights, upon which I have always been taught to value myself.

It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire; which was preserved, entire, although Wales, and Chester, and Durham, were added to it. Truly, Mr. Speaker, I do not know what this unity means; nor has it ever been heard of, that I know, in the constitutional policy of

of this country. The very idea of subordination of parts, excludes this notion of simple and undivided unity. England is the head; but she is not the head and the members too. Ireland has ever had from the beginning a separate, but not an independent, legislature; which, far from distracting, promoted the union of the whole. Every thing was sweetly and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this empire, than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord* on the floor, which has been so lately received, and stands on your journals. I must be deeply concerned, whenever it is my misfortune to continue a difference with the majority

* Lord North.

majority of this house. But as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large, when the question was before the committee.

First, then, I cannot admit that proposition of a ransom by auction;—because it is a meer project. It is a thing new; unheard of; supported by no experience; justified by no analogy; without example of our ancestors, or root in the constitution.

It is neither regular parliamentary taxation, nor colony grant. *Experimentum in corpore vili*, is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects; the peace of this empire.

Secondly, it is an experiment which must be fatal in the end to our constitution. For what is it but a scheme for taxing the colonies in the antichamber of the noble lord and his successors? To settle the quotas and proportions in this house, is clearly impossible. You, Sir, may flatter yourself, you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to settle (on the plan laid down by the noble lord) the true proportional payment for four or five and twenty governments, according to the absolute and the relative wealth of each,

and according to the British proportion of wealth and burthen, is a wild and chimerical notion. This new taxation must therefore come in by the back-door of the constitution. Each quota must be brought to this house ready formed; you can neither add nor alter. You must register it. You can do nothing further. For on what grounds can you deliberate either before or after the proposition? You cannot hear the counsel for all these provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, must swallow up all the time of parliament.

Thirdly, it does not give satisfaction to the complaint of the colonies. They complain, that they are taxed without their consent; you answer, that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them indeed, that you will leave the mode to themselves. I really beg pardon: it gives me pain to mention it; but you must be sensible that you will not perform this part of the compact. For, suppose the colonies were to lay the duties which furnished their contingent, upon the importation of your manufactures; you know you would never suffer such a tax to be laid. You know too, that you would not suffer many other

modes of taxation. So that, when you come to explain yourself, it will be found, that you will neither leave to themselves the quantum nor the mode; nor indeed any thing. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that colony agents should have general powers of taxing the colonies at their discretion; consider, I implore you, that the communication by special messages, and orders between these agents and their constituents on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion, that never can have an end.

If all the colonies do not appear at the outcry, what is the condition of those assemblies, who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies, who refuse all composition, will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburthened. What will you do? Will you lay

new

new and heavier taxes by parliament on the disobedient? Pray consider in what way you can do it. You are perfectly convinced that in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota; how will you put these colonies on a par? Will you tax the tobacco of Virginia? If you do, you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other obedient, and already well taxed colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue, to lead you out of it? I think, Sir, it is impossible, that you should not recollect that the colony bounds are so implicated in one another (you know it by your other experiments in the bill for prohibiting the New-England fishery) that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burthen those whom upon every principle, you ought to exonerate. He must be grossly ignorant of America,

who thinks, that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central, and most important of them all.

Let it also be considered, that, either in the present confusion you settle a permanent contingent, which will and must be trifling; and then you have no effectual revenue: or you change the quota at every exigency; and then on every new repartition you will have a new quarrel.

Reflect besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years arrears. You cannot issue a treasury extent against the failing colony. You must make new Boston port bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the empire, and the army of the empire, is the worst revenue, and the worst army, in the world.

Instead

Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed the noble lord, who proposed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies, than for establishing a revenue. He confessed, he apprehended that his proposal would not be to *their taste.* I say, this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be; as I propose the peace and union of the colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This is mild; that harsh. This is found by experience effectual for its purposes; the other is a new project. This is universal; the other calculated for certain colonies only. This is immediate in its conciliatory operation; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people; gratuitous, unconditional, and not held out as matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse; but this is the misfortune of

those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom! For my part, I feel my mind greatly disburthened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to my conscience.

But what (says the financier) is peace to us without money? Your plan gives us no revenue. No! But it does—For it secures to the subject the power of REFUSAL; the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £.152,752: 11: 2¾ths, nor any other paltry limited sum.—But it gives the strong box itself, the fund, the bank, from whence only revenues can arise amongst a people sensible of freedom: *Posita luditur arca.* Cannot you in England; cannot you at this time of day; cannot you, a house of

of commons, trust to the principle which has raised so mighty a revenue, and accumulated a debt of near 140 millions in this country? Is this principle to be true in England, and false every where else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume, that, in any country, a body duly constituted for any function, will neglect to perform its duty, and abdicate its trust? Such a presumption would go against all governments in all modes. But, in truth, this dread of penury of supply, from a free assembly, has no foundation in nature. For first observe, that besides the desire which all men have naturally of supporting the honour of their own government; that sense of dignity, and that security to property, which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved, that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the politick machinery in the world.

Next we know, that parties must ever exist in a free country. We know too, that the emulations of such parties, their contradictions, their reciprocal necessities,

necessities, their hopes, and their fears, must send them all in their turns to him that holds the balance of the state. The parties are the gamesters; but government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared, that the people will be exhausted, than that government will not be supplied. Whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained; will be narrow, feeble, uncertain, and precarious. "*Ease would retract vows made in pain, as violent* "*and void.*"

I, for one, protest against compounding our demands: I declare against compounding, for a poor limited sum, the immense, evergrowing, eternal debt, which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst oeconomy in the world, to compel the colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact.

But to clear up my ideas on this subject—a revenue from America transmitted hither—do not delude yourselves—you never can receive it—No, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal,

you

you were obliged to return in loan what you had taken in imposition; what can you expect from North America? for certainly, if ever there was a country qualified to produce wealth, it is India; or an institution fit for the transmission, it is the East-India Company. America has none of these aptitudes. If America gives you taxable objects, on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments; she may, I doubt not she will, contribute in moderation. I say in moderation; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war; the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties, which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government;

ment;—they will cling and grapple to you; and no force under heaven will be of power to tear them from their allegiance. But let it be once understood, that your government may be one thing, and their privileges another; that these two things may exist without any mutual relation; the cement is gone; the cohesion is loosened; and every thing hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have any where. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true act of navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond, which originally made, and must still preserve, the unity of the empire. Do not

entertain

entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of this mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion, that gives all their life and efficacy to them. It is the spirit of the English constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies, every part of the empire, even down to the minutest member.

Is it not the same virtue which does every thing for us here in England? Do you imagine then, that it is the land tax act which raises your revenue? that it is the annual vote in the committee of supply, which gives you your army? or that it is the mutiny bill, which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us; a sort of people who think that nothing exists but what is gross and material; and who therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth every thing, and all in all. Magnanimity in politicks is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our places as becomes our station and ourselves, we ought to auspicate all our publick proceedings on America, with the old warning of the church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire; and have made the most extensive, and the only honourable conquests; not by destroying, but by promoting the wealth, the number, the happiness of the human race. Let us get an American revenue as we have got an American empire. English privileges have made

it

it all that it is; English privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now *(quod felix faustumque sit)*—lay the first stone of the temple of peace; and I move you,

"That the colonies and plantations of Great "Britain in North America, consisting of four-"teen separate governments, and containing two "millions and upwards of free inhabitants, have "not had the liberty and privilege of electing "and sending any knights and burgesses, or "others, to represent them in the high court of "parliament."

Upon this resolution, the previous question was put, and carried;—for the previous question 270, against it 78.

As the propositions were opened separately in the body of the speech, the reader perhaps may wish to see the whole of them together, in the form in which they were moved for.

"MOVED,

"That the colonies and plantations of Great "Britain in North America, consisting of fourteen "separate

" separate governments, and containing two mil-
" lions and upwards of free inhabitants, have not
" had the liberty and privilege of electing and send-
" ing any knights and burgesses, or others, to re-
" present them in the high court of parliament."

" That the said colonies and plantations have
" been made liable to, and bounden by, several
" subsidies, payments, rates, and taxes, given and
" granted by parliament; though the said colonies
" and plantations have not their knights and bur-
" gesses, in the said high court of parliament, of
" their own election, to represent the condition
" of their country, *by lack whereof, they have been*
" *oftentimes touched and grieved by subsidies given,*
" *granted, and assented to, in the said court, in a*
" *manner prejudicial to the commonwealth, quietness,*
" *rest, and peace, of the subjects inhabiting within*
" *the same.*"

" That, from the distance of the said colonies,
" and from other circumstances, no method hath
" hitherto been devised for procuring a represen-
" tation in parliament for the said colonies."

" That each of the said colonies hath within
" itself a body, chosen, in part or in the whole, by
" the freemen, freeholders, or other free inhabi-
" tants thereof, commonly called the general as-
" sembly, or general court; with powers legally to
" raise, levy, and assess, according to the several

" usage

" usage of such colonies, duties and taxes towards " defraying all sorts of publick services*."

" That the said general assemblies, general courts, " or other bodies, legally qualified as aforesaid, " have at sundry times freely granted several large " subsidies and publick aids for his majesty's " service, according to their abilities, when required " thereto by letter from one of his majesty's prin- " cipal secretaries of state; and that their right to " grant the same, and their cheerfulness and suffi- " ciency in the said grants, have been at sundry " times acknowledged by parliament."

" That it hath been found by experience, that " the manner of granting the said supplies and " aids, by the said general assemblies, hath been " more agreeable to the inhabitants of the said " colonies, and more beneficial and conducive to " the publick service, than the mode of giving and " granting aids and subsidies in parliament to be " raised and paid in the said colonies."

" That it may be proper to repeal an act, " made in the 7th year of the reign of his present " majesty,

* The first four motions and the last had the previous question put on them. The others were negatived.

The words in italicks were, by an amendment that was carried, left out of the motion; which will appear in the journals, though it is not the practice to insert such amendments in the votes.

" majesty, intituled, An act for granting certain " duties in the British colonies and plantations in " America; for allowing a drawback of the duties " of customs, upon the exportation from this " kingdom, of coffee and cocoa-nuts, of the pro- " duce of the said colonies or plantations; for " discontinuing the drawbacks payable on China " earthen-ware exported to America; and for " more effectually preventing the clandestine " running of goods in the said colonies and " plantations."

" That it may be proper to repeal an act, made " in the 14th year of the reign of his present " majesty, intituled, An act to discontinue, in such " manner, and for such time, as are therein men- " tioned, the landing and discharging, lading or " shipping of goods, wares, and merchandize, at " the town, and within the harbour, of Boston, " in the province of Massachuset's Bay, in North " America,"

" That it may be proper to repeal an act, made " in the 14th year of the reign of his present " majesty, intituled, An act for the impartial admi- " nistration of justice, in cases of persons questioned " for any acts done by them in the execution of " the law, or for the suppression of riots and " tumults, in the province of Massachuset's Bay, " in New England."

" That

"That it is proper to repeal an act, made in "the 14th year of the reign of his present majesty, "intituled, An act for the better regulating the "government of the province of Massachuset's "Bay, in New England."

"That it is proper to explain and amend "an act made in the 35th year of the reign "of King Henry VIII, intituled, An act for the "trial of treasons committed out of the King's "dominions."

"That, from the time when the general assembly, "or general court, of any colony or plantation, "in North America, shall have appointed, by "act of assembly duly confirmed, a settled salary "to the offices of the chief justice and judges of "the superiour courts, it may be proper that the "said chief justice and other judges of the superiour "courts of such colony shall hold his and their "office and offices during their good behaviour; "and shall not be removed therefrom, but when "the said removal shall be adjudged by his ma-"jesty in council, upon a hearing on complaint "from the general assembly, or on a complaint "from the governour, or council, or the house of "representatives, severally, of the colony in which "the said chief justice and other judges have "exercised the said office."

"That it may be proper to regulate the courts

" of admiralty, or vice-admiralty, authorized by " the 15th chapter of the 4th of George III, in " such a manner, as to make the same more " commodious to those who sue, or are sued, in " the said courts; *and to provide for the more* " *decent maintenance of the judges of the same.*"

A

LETTER

FROM

MR. BURKE,

TO

JOHN FARR AND JOHN HARRIS, ESQRS.

SHERIFFS OF THE CITY OF BRISTOL;

ON THE

AFFAIRS OF AMERICA.

1777.

A LETTER,
&c.

GENTLEMEN,

I HAVE the honour of sending you the two last acts which have been passed with regard to the troubles in America. These acts are similar to all the rest which have been made on the same subject. They operate by the same principle; and they are derived from the very same policy. I think they complete the number of that sort of statutes to nine. It affords no matter for very pleasing reflection to observe, that our subjects diminish, as our laws increase.

If I have the misfortune of differing with some of my fellow-citizens on this great and arduous subject, it is no small consolation to me, that I do not differ from you. With you, I am perfectly united. We are heartily agreed in our detestation of a civil war. We have ever expressed the most unqualified disapprobation of all the steps which have led to it, and of all those which tend to prolong it. And I have no doubt that we feel exactly the same emotions of grief and shame on all its miserable consequences; whether they

appear, on the one side or the other, in the shape of victories or defeats, of captures made from the English on the continent, or from the English in these islands; of legislative regulations which subvert the liberties of our brethren, or which undermine our own.

Of the first of these statutes (that for the letter of marque) I shall say little. Exceptionable as it may be, and as I think it is in some particulars, it seems the natural, perhaps necessary result of the measures we have taken, and the situation we are in. The other (for a partial suspension of the *Habeas Corpus)* appears to me of a much deeper malignity. During its progress through the house of commons, it has been amended, so as to express more distinctly than at first it did, the avowed sentiments of those who framed it: and the main ground of my exception to it is, because it does express, and does carry into execution, purposes which appear to me so contradictory to all the principles, not only of the constitutional policy of Great Britain, but even of that species of hostile justice, which no asperity of war wholly extinguishes in the minds of a civilized people.

It seems to have in view two capital objects; the first, to enable administration to confine, as long as it shall think proper, those, whom that act is pleased to qualify by the name of *pirates*. Those so qualified, I understand to be, the commanders and

and mariners of such privateers and ships of war belonging to the colonies, as in the course of this unhappy contest may fall into the hands of the crown. They are therefore to be detained in prison, under the criminal description of piracy, to a future trial and ignominious punishment, whenever circumstances shall make it convenient to execute vengeance on them, under the colour of that odious and infamous offence.

To this first purpose of the law, I have no small dislike; because the act does not, (as all laws and all equitable transactions ought to do) fairly describe its object. The persons, who make a naval war upon us, in consequence of the present troubles, may be rebels; but to call and treat them as pirates, is confounding, not only the natural distinction of things, but the order of crimes; which, whether by putting them from a higher part of the scale to the lower, or from the lower to the higher, is never done without dangerously disordering the whole frame of jurisprudence. Though piracy may be, in the eye of the law, a *less* offence than treason; yet as both are, in effect, punished with the same death, the same forfeiture, and the same corruption of blood, I never would take from any fellow creature whatever, any sort of advantage which he may derive to his safety from the pity of mankind, or to his reputation from their general feelings, by degrading his offence, when I cannot

cannot soften his punishment. The general sense of mankind tells me, that those offences, which may possibly arise from mistaken virtue, are not in the class of infamous actions. Lord Coke, the oracle of the English law, conforms to that general sense where he says, that " those things which are of the highest criminality, may be of the least disgrace." The act prepares a sort of masked proceeding, not honourable to the justice of the kingdom, and by no means necessary for its safety. I cannot enter into it. If Lord Balmerino, in the last rebellion, had driven off the cattle of twenty clans, I should have thought it would have been a scandalous and low juggle, utterly unworthy of the manliness of an English judicature, to have tried him for felony as a stealer of cows.

Besides, I must honestly tell you, that I could not vote for, or countenance in any way, a statute, which stigmatizes with the crime of piracy, these men, whom an act of parliament had previously put out of the protection of the law. When the legislature of this kingdom had ordered all their ships and goods, for the mere new-created offence of exercising trade, to be divided as a spoil among the seamen of the navy,—to consider the necessary reprisal of an unhappy, proscribed, interdicted people, as the crime of piracy, would have appeared in any other legislature than ours, a strain of the most insulting and most unnatural cruelty

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and injustice. I assure you, I never remember to have heard of any thing like it in any time or country.

The second professed purpose of the act is to detain in England for trial, those who shall commit high treason in America.

That you may be enabled to enter into the true spirit of the present law, it is necessary, gentlemen, to apprize you, that there is an act, made so long ago as in the reign of Henry the Eighth, before the existence or thought of any English colonies in America, for the trial in this kingdom of treasons committed out of the realm. In the year 1769, parliament thought proper to acquaint the crown with their construction of that act in a formal address, wherein they intreated his majesty, to cause persons, charged with high treason in America, to be brought into this kingdom for trial. By this act of Henry the Eighth, *so construed and so applied*, almost all that is substantial and beneficial in a trial by jury, is taken away from the subject in the colonies. This is however saying too little; for to try a man under that act is, in effect, to condemn him unheard. A person is brought hither in the dungeon of a ship's hold; thence he is vomited into a dungeon on land; loaded with irons, unfurnished with money, unsupported by friends, three thousand miles from all means of calling upon or confronting evidence, where no one

one local circumstance that tends to detect perjury, can possibly be judged of;—such a person may be executed according to form, but he can never be tried according to justice.

I therefore could never reconcile myself to the bill I send you; which is expressly provided to remove all inconveniencies from the establishment of a mode of trial, which has ever appeared to me most unjust and most unconstitutional. Far from removing the difficulties which impede the execution of so mischievous a project, I would heap new difficulties upon it, if it were in my power. All the ancient, honest juridical principles and institutions of England are so many clogs to check and retard the headlong course of violence and oppression. They were invented for this one good purpose; that what was not just should not be convenient. Convinced of this, I would leave things as I found them. The old, cool-headed, general law, is as good as any deviation dictated by present heat.

I could see no fair justifiable expedience pleaded to favour this new suspension of the liberty of the subject. If the English in the colonies can support the independency, to which they have been unfortunately driven, I suppose nobody has such a fanatical zeal for the criminal justice of Henry the Eighth, that he will contend for executions which must be retaliated tenfold on his own friends; or

who

who has conceived so strange an idea of English dignity, as to think the defeats in America compensated by the triumphs at Tyburn. If on the contrary, the colonies are reduced to the obedience of the crown, there must be under that authority, tribunals in the country itself, fully competent to administer justice on all offenders. But if there are not, and that we must suppose a thing so humiliating to our government, as that all this vast continent should unanimously concur in thinking, that no ill fortune can convert resistance to the royal authority into a criminal act, we may call the effect of our victory peace, or obedience, or what we will; but the war is not ended; the hostile mind continues in full vigour, and it continues under a worse form. If your peace be nothing more than a sullen pause from arms; if their quiet be nothing but the meditation of revenge, where smitten pride smarting from its wounds, festers into new rancour, neither the act of Henry the Eighth, nor its handmaid of this reign, will answer any wise end of policy or justice. For if the bloody fields, which they saw and felt, are not sufficient to subdue the reason of America (to use the expressive phrase of a great lord in office) it is not the judicial slaughter, which is made in another hemisphere against their universal sense of justice, that will ever reconcile them to the British government.

I take

I take it for granted, gentlemen, that we sympathize in a proper horrour of all punishment further than as it serves for an example. To whom then does the example of an execution in England for this American rebellion apply? Remember, you are told every day, that the present is a contest between the two countries; and that we in England are at war for *our own* dignity against our rebellious children. Is this true? If it be, it is surely among such rebellious children that examples for disobedience should be made, to be in any degree instructive: for who ever thought of teaching parents their duty by an example from the punishment of an undutiful son? As well might the execution of a fugitive negro in the plantations, be considered as a lesson to teach masters humanity to their slaves. Such executions may indeed satiate our revenge; they may harden our hearts, and puff us up with pride and arrogance. Alas! this is not instruction!

If any thing can be drawn from such examples by a parity of the case, it is to shew, how deep their crime and how heavy their punishment will be, who shall at any time dare to resist a distant power actually disposing of their property, without their voice or consent to the disposition; and overturning their franchises without charge or hearing. God forbid that England should ever

read this lesson written in the blood of *any* of her offspring!

War is at present carried on between the king's natural and foreign troops, on one side, and the English in America on the other, upon the usual footing of other wars; and accordingly an exchange of prisoners has been regularly made from the beginning. If notwithstanding this hitherto equal procedure, upon some prospect of ending the war with success (which however may be delusive) administration prepares to act against those as *traitors* who remain in their hands at the end of the troubles, in my opinion we shall exhibit to the world as indecent a piece of injustice as ever civil fury has produced. If the prisoners who have been exchanged, have not by that exchange been *virtually pardoned*, the cartel (whether avowed or understood) is a cruel fraud; for you have received the life of a man, and you ought to return a life for it, or there is no parity or fairness in the transaction.

If on the other hand, we admit, that they, who are actually exchanged are pardoned, but contend that you may justly reserve for vengeance, those who remain unexchanged; then this unpleasant and unhandsome consequence will follow; that you judge of the delinquency of men merely by the time of their guilt, and not by the heinousness of it; and you make fortune and accidents, and not

not the moral qualities of human action, the rule of your justice.

These strange incongruities must ever perplex those, who confound the unhappiness of civil dissensions, with the crime of treason. Whenever a rebellion really and truly exists, which is as easily known in fact, as it is difficult to define in words, government has not entered into such military conventions; but has ever declined all intermediate treaty, which should put rebels in possession of the law of nations with regard to war. Commanders would receive no benefits at their hands, because they could make no return for them. Who has ever heard of capitulation, and parole of honour, and exchange of prisoners in the late rebellions in this kingdom? The answer to all demands of that sort was, "we can engage for nothing; you are at the king's pleasure." We ought to remember, that if our present enemies be, in reality and truth, rebels, the king's generals have no right to release them upon any conditions whatsoever; and they are themselves answerable to the law, and as much in want of a pardon for doing so, as the rebels whom they release.

Lawyers, I know, cannot make the distinction, for which I contend; because they have their strict rule to go by. But legislators ought to do what lawyers cannot; for they have no other rules to bind them, but the great principles of reason

reason and equity, and the general sense of mankind. These they are bound to obey and follow; and rather to enlarge and enlighten law by the liberality of legislative reason, than to fetter and bind their higher capacity by the narrow constructions of subordinate artificial justice. If we had adverted to this, we never could consider the convulsions of a great empire, not disturbed by a little desseminated faction, but divided by whole communities and provinces, and entire legal representatives of a people, as fit matter of discussion under a commission of Oyer and Terminer. It is as opposite to reason and prudence, as it is to humanity and justice.

This act, proceeding on these principles, that is, preparing to end the present troubles by a trial of one sort of hostility, under the name of piracy, and of another by the name of treason, and executing the act of Henry the Eighth according to a new and unconstitutional interpretation, I have thought evil and dangerous, even though the instruments of effecting such purposes had been merely of a neutral quality.

But it really appears to me, that the means which this act employs are, at least, as exceptionable as the end. Permit me to open myself a little upon this subject, because it is of importance to me, when I am obliged to submit to the power without acquiescing in the reason of an act of

legislature, that I should justify my dissent, by such arguments as may be supposed to have weight with a sober man.

The main operative regulation of the act is to suspend the common law, and the statute *Habeas Corpus*, (the sole securities either for liberty or justice) with regard to all those who have been out of the realm, or on the high seas, within a given time. The rest of the people, as I understand, are to continue as they stood before.

I confess, gentlemen, that this appears to me, as bad in the principle, and far worse in its consequence, than an universal suspension of the *Habeas Corpus* act; and the limiting qualification, instead of taking out the sting, does in my humble opinion sharpen and envenom it to a greater degree. Liberty, if I understand it at all, is a *general* principle, and the clear right of all the subjects within the realm, or of none. Partial freedom seems to me a most invidious mode of slavery. But unfortunately, it is the kind of slavery the most easily admitted in times of civil discord; for parties are but too apt to forget their own future safety in their desire of sacrificing their enemies. People without much difficulty admit the entrance of that injustice of which they are not to be the immediate victims. In times of high proceeding it is never the faction of the predominant power that is in danger; for no tyranny chastises its own instruments.

instruments. It is the obnoxious and the suspected who want the protection of law; and there is nothing to bridle the partial violence of state factions, but this; "that whenever an act is made for a "cessation of law and justice, the whole people "should be universally subjected to the same sus- "pension of their franchises." The alarm of such a proceeding would then be universal. It would operate as a sort of *Call of the nation.* It would become every man's immediate and instant concern to be made very sensible of *the absolute necessity* of this total eclipse of liberty. They would more carefully advert to every renewal, and more powerfully resist it. These great determined measures are not commonly so dangerous to freedom. They are marked with too strong lines to slide into use. No plea, nor pretence of *inconvenience or evil example* (which must in their nature be daily and ordinary incidents) can be admitted as a reason for such mighty operations. But the true danger is, when liberty is nibbled away, for expedients, and by parts. The *Habeas Corpus* act supposes, contrary to the genius of most other laws, that the lawful magistrate may see particular men with a malignant eye, and it provides for that identical case. But when men, in particular descriptions, marked out by the magistrate himself, are delivered over by parliament to this possible malignity, it is not the *Habeas Corpus* that is occasionally

suspended, but its spirit that is mistaken, and its principle that is subverted. Indeed nothing is security to any individual but the common interest of all.

This act therefore, has this distinguished evil in it, that it is the first *partial* suspension of the *Habeas Corpus* that has been made. The precedent, which is always of very great importance, is now established. For the first time a distinction is made among the people within this realm. Before this act, every man putting his foot on English ground, every stranger owing only a local and temporary allegiance, even negro slaves who had been sold in the colonies and under an act of parliament, became as free as every other man who breathed the same air with them. Now a line is drawn, which may be advanced further and further at pleasure, on the same argument of mere expedience, on which it was first described. There is no equality among us; we are not fellow-citizens, if the mariner who lands on the quay, does not rest on as firm legal ground as the merchant who sits in his compting-house. Other laws may injure the community, this dissolves it. As things now stand, every man in the West Indies, every one inhabitant of three unoffending provinces on the continent, every person coming from the East Indies, every gentleman who has travelled for his health or education, every mariner who has navigated

navigated the seas, is, for no other offence, under a temporary proscription. Let any of these facts (now become presumptions of guilt) be proved against him, and the bare suspicion of the crown puts him out of the law. It is even by no means clear to me, whether the negative proof does not lie upon the person apprehended on suspicion, to the subversion of all justice.

I have not debated against this bill in its progress through the house; because it would have been vain to oppose, and impossible to correct it. It is some time since I have been clearly convinced, that in the present state of things all opposition to any measures proposed by ministers, where the name of America appears, is vain and frivolous. You may be sure that I do not speak of my opposition, which in all circumstances must be so; but that of men of the greatest wisdom and authority in the nation. Every thing proposed against America is supposed of course to be in favour of Great Britain. Good and ill success are equally admitted as reasons for persevering in the present methods. Several very prudent, and very well-intentioned persons were of opinion, that during the prevalence of such dispositions, all struggle rather inflamed than lessened the distemper of the publick counsels. Finding such resistance to be considered as factious by most within doors, and by very many without, I cannot conscientiously

support what is against my opinion, nor prudently contend with what I know is irresistible. Preserving my principles unshaken, I reserve my activity for rational endeavours; and I hope that my past conduct has given sufficient evidence, that if I am a single day from my place, it is not owing to indolence or love of dissipation. The slightest hope of doing good is sufficient to recal me to what I quitted with regret. In declining for some time my usual strict attendance, I do not in the least condemn the spirit of those gentlemen, who with a just confidence in their abilities, (in which I claim a sort of share from my love and admiration of them) were of opinion that their exertions in this desperate case might be of some service. They thought, that by contracting the sphere of its application, they might lessen the malignity of an evil principle. Perhaps they were in the right. But when my opinion was so very clearly to the contrary, for the reasons I have just stated, I am sure *my* attendance would have been ridiculous.

I must add in further explanation of my conduct, that far from softening the features of such a principle, and thereby removing any part of the popular odium or natural terrours attending it, I should be sorry, that any thing framed in contradiction to the spirit of our constitution did not instantly produce in fact, the grossest of the evils, with which it was pregnant in its nature. It is

by lying dormant a long time, or being at first very rarely exercised, that arbitrary power steals upon a people. On the next unconstitutional act, all the fashionable world will be ready to say—Your prophecies are ridiculous, your fears are vain, you see how little of the mischiefs which you formerly foreboded are come to pass. Thus, by degrees, that artful softening of all arbitrary power, the alleged infrequency or narrow extent of its operation, will be received as a sort of aphorism—and Mr. *Hume* will not be singular in telling us, that the felicity of mankind is no more disturbed by it, than by earthquakes or thunder, or the other more unusual accidents of nature.

The act of which I speak is among the fruits of the American war; a war in my humble opinion productive of many mischiefs, of a kind which distinguish it from all others. Not only our policy is deranged, and our empire distracted, but our laws and our legislative spirit appear to have been totally perverted by it. We have made war on our colonies, not by arms only, but by laws. As hostility and law are not very concordant ideas, every step we have taken in this business, has been made by trampling on some maxim of justice, or some capital principle of wise government. What precedents were established, and what principles overturned, (I will not say of English privilege, but of general justice) in the Boston Port, the

Massachuset's Charter, the Military Bill, and all that long array of hostile acts of parliament, by which the war with America has been begun and supported! Had the principles of any of these acts been first exerted on English ground, they would probably have expired as soon as they touched it. But by being removed from our persons, they have rooted in our laws; and the latest posterity will taste the fruits of them.

Nor is it the worst effect of this unnatural contention, that our *laws* are corrupted. Whilst *manners* remain entire, they will correct the vices of law, and soften it at length to their own temper. But we have to lament, that in most of the late proceedings we see very few traces of that generosity, humanity, and dignity of mind which formerly characterised this nation. War suspends the rules of moral obligation, and what is long suspended is in danger of being totally abrogated. Civil wars strike deepest of all into the manners of the people. They vitiate their politicks; they corrupt their morals; they pervert even the natural taste and relish of equity and justice. By teaching us to consider our fellow citizens in a hostile light, the whole body of our nation becomes gradually less dear to us. The very names of affection and kindred, which were the bond of charity whilst we agreed, become new incentives to hatred and rage, when the communion of our country is dissolved,

dissolved. We may flatter ourselves that we shall not fall into this misfortune. But we have no charter of exemption, that I know of, from the ordinary frailties of our nature.

What but that blindness of heart which arises from the phrenzy of civil contention, could have made any persons conceive the present situation of the British affairs as an object of triumph to themselves, or of congratulation to their sovereign? Nothing surely could be more lamentable to those who remember the flourishing days of this kingdom, than to see the insane joy of several unhappy people, amidst the sad spectacle which our affairs and conduct exhibit to the scorn of Europe. We behold, (and it seems some people rejoice in beholding) our native land, which used to sit the envied arbiter of all her neighbours, reduced to a servile dependance on their mercy; acquiescing in assurances of friendship which she does not trust; complaining of hostilities which she dares not resent; deficient to her allies; lofty to her subjects, and submissive to her enemies; whilst the liberal government of this free nation is supported by the hireling sword of German boors and vassals; and three millions of the subjects of Great Britain are seeking for protection to English privileges in the arms of France!

These circumstances appear to me more like shocking

shocking prodigies, than natural changes in human affairs. Men of firmer minds may see them without staggering or astonishment.—Some may think them matters of congratulation and complimentary addresses; but I trust your candour will be so indulgent to my weakness, as not to have the worse opinion of me for my declining to participate in this joy; and my rejecting all share whatsoever in such a triumph. I am too old, too stiff in my inveterate partialities, to be ready at all the fashionable evolutions of opinion. I scarcely know how to adapt my mind to the feelings with which the court gazettes mean to impress the people. It is not instantly that I can be brought to rejoice, when I hear of the slaughter and captivity of long lists of those names which have been familiar to my ears from my infancy, and to rejoice that they have fallen under the sword of strangers, whose barbarous appellations I scarcely know how to pronounce. The glory acquired at the White Plains by Colonel Rahl, has no charms for me; and I fairly acknowledge, that I have not yet learned to delight in finding Fort Kniphausen in the heart of the British dominions.

It might be some consolation for the loss of our old regards, if our reason were enlightened in proportion as our honest prejudices are removed. Wanting feelings for the honour of our country,

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we might then in cold blood be brought to think a little of our interests as individual citizens, and our private conscience as moral agents.

Indeed our affairs are in a bad condition. I do assure those gentlemen who have prayed for war, and obtained the blessing they have sought, that they are at this instant in very great straits. The abused wealth of this country continues a little longer to feel its distemper. As yet they, and their German allies of twenty hireling states, have contended only with the unprepared strength of our own infant colonies. But America is not subdued. Not one unattacked village which was originally adverse throughout that vast continent, has yet submitted from love or terrour. You have the ground you encamp on; and you have no more. The cantonments of your troops and your dominions are exactly of the same extent. You spread devastation, but you do not enlarge the sphere of authority.

The events of this war are of so much greater magnitude than those who either wished or feared it, ever looked for, that this alone ought to fill every considerate mind with anxiety and diffidence. Wise men often tremble at the very things which fill the thoughtless with security. For many reasons I do not choose to expose to publick view, all the particulars of the state in which you stood with regard to foreign powers, during the whole course of

of the last year. Whether you are yet wholly out of danger from them, is more than I know, or than your rulers can divine. But even if I were certain of my safety, I could not easily forgive those who had brought me into the most dreadful perils, because by accidents, unforeseen by them or me, I have escaped.

Believe me, gentlemen, the way still before you is intricate, dark, and full of perplexed and treacherous mazes. Those who think they have the clue, may lead us out of this labyrinth. We may trust them as amply as we think proper; but as they have most certainly a call for all the reason which their stock can furnish, why should we think it proper to disturb its operation by inflaming their passions? I may be unable to lend an helping hand to those who direct the state; but I should be ashamed to make myself one of a noisy multitude to halloo and hearten them into doubtful and dangerous courses. A conscientious man would be cautious how he dealt in blood. He would feel some apprehension at being called to a tremendous account for engaging in so deep a play, without any sort of knowledge of the game. It is no excuse for presumptuous ignorance, that it is directed by insolent passion. The poorest being that crawls on earth, contending to save itself from injustice and oppression, is an object respectable in the eyes of God and man. But I cannot conceive any existence

existence under heaven, (which in the depths of its wisdom, tolerates all sorts of things) that is more truly odious and disgusting, than an impotent helpless creature, without civil wisdom or military skill, without a consciousness of any other qualification for power but his servility to it, bloated with pride and arrogance, calling for battles which he is not to fight, contending for a violent dominion which he can never exercise, and satisfied to be himself mean and miserable, in order to render others contemptible and wretched.

If you and I find our talents not of the great and ruling kind, our conduct at least, is conformable to our faculties. No man's life pays the forfeit of our rashness. No desolate widow weeps tears of blood over our ignorance. Scrupulous and sober in a well-grounded distrust of ourselves, we would keep in the port of peace and security; and perhaps in recommending to others something of the same diffidence, we should shew ourselves more charitable to their welfare, than injurious to their abilities.

There are many circumstances in the zeal shewn for civil war, which seem to discover but little of real magnanimity. The addressers offer their own persons, and they are satisfied with hiring Germans. They promise their private fortunes, and they mortgage their country. They have all the merit of volunteers, without risk of person or charge

charge of contribution; and when the unfeeling arm of a foreign soldiery pours out their kindred blood like water, they exult and triumph as if they themselves had performed some notable exploit. I am really ashamed of the fashionable language which has been held for some time past; which to say the best of it, is full of levity. You know, that I allude to the general cry against the cowardice of the Americans, as if we despised them for not making the king's soldiery purchase the advantage they have obtained, at a dearer rate. It is not, gentlemen, it is not, to respect the dispensations of providence, nor to provide any decent retreat in the mutability of human affairs. It leaves no medium between insolent victory and infamous defeat. It tends to alienate our minds further and further from our natural regards, and to make an eternal rent and schism in the British nation. Those who do not wish for such a separation, would not dissolve that cement of reciprocal esteem and regard, which can alone bind together the parts of this great fabrick. It ought to be our wish, as it is our duty, not only to forbear this style of outrage ourselves, but to make every one as sensible as we can of the impropriety and unworthiness of the tempers which give rise to it, and which designing men are labouring with such malignant industry to diffuse amongst us. It is our business to counteract them, if possible; if possible to awake

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our natural regards; and to revive the old partiality to the English name. Without something of this kind I do not see how it is ever practicable really to reconcile with those, whose affection, after all, must be the surest hold of our government; and which is a thousand times more worth to us, than the mercenary zeal of all the circles of Germany.

I can well conceive a country completely overrun, and miserably wasted, without approaching in the least to settlement. In my apprehension, as long as English government is attempted to be supported over Englishmen by the sword alone, things will thus continue. I anticipate in my mind the moment of the final triumph of foreign military force. When that hour arrives, (for it may arrive) then it is, that all this mass of weakness and violence will appear in its full light. If we should be expelled from America, the delusion of the partisans of military government might still continue. They might still feed their imaginations with the possible good consequences which might have attended success. Nobody could prove the contrary by facts. But in case the sword should do all that the sword can do, the success of their arms and the defeat of their policy, will be one and the same thing. You will never see any revenue from America. Some increase of the means of corruption, without ease of the publick burthens,

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is the very best that can happen. Is it for this that we are at war; and in such a war?

As to the difficulties of laying once more the foundations of that government, which, for the sake of conquering what was our own, has been voluntarily and wantonly pulled down by a court faction here, I tremble to look at them. Has any of these gentlemen, who are so eager to govern all mankind, shewn himself possessed of the first qualification towards government, some knowledge of the object, and of the difficulties which occur in the task they have undertaken?

I assure you, that on the most prosperous issue of your arms, you will not be where you stood, when you called in war to supply the defects of your political establishment. Nor would any disorder or disobedience to government which could arise from the most abject concession on our part, ever equal those which will be felt, after the most triumphant violence. You have got all the intermediate evils of war into the bargain.

I think I know America. If I do not, my ignorance is incurable, for I have spared no pains to understand it; and I do most solemnly assure those of my constituents who put any sort of confidence in my industry and integrity, that every thing that has been done there has arisen from a total misconception of the object: that our means of originally holding America, that our means of reconciling

reconciling with it after quarrel, of recovering it after separation, of keeping it after victory, did depend, and must depend, in their several stages and periods, upon a total renunciation of that unconditional submission, which has taken such possession of the minds of violent men. The whole of those maxims, upon which we have made and continued this war, must be abandoned. Nothing indeed, (for I would not deceive you) can place us in our former situation. That hope must be laid aside. But there is a difference between bad and the worst of all. Terms relative to the cause of the war ought to be offered by the authority of parliament. An arrangement at home promising some security for them ought to be made. By doing this, without the least impairing of our strength, we add to the credit of our moderation, which in itself, is always strength more or less.

I know many have been taught to think, that moderation, in a case like this, is a sort of treason; and that all arguments for it are sufficiently answered by railing at rebels and rebellion, and by charging all the present or future miseries which we may suffer, on the resistance of our brethren. But I would wish them, in this grave matter, and if peace is not wholly removed from their hearts, to consider seriously, first, that to criminate and recriminate never yet was the road to reconciliation, in any difference amongst men. In the next

place, it would be right to reflect, that the American English (whom they may abuse, if they think it honourable to revile the absent) can, as things now stand, neither be provoked at our railing, or bettered by our instruction. All communication is cut off between us, but this we know with certainty, that though we cannot reclaim them, we may reform ourselves. If measures of peace are necessary, they must begin somewhere; and a conciliatory temper must precede and prepare every plan of reconciliation. Nor do I conceive that we suffer any thing by thus regulating our own minds. We are not disarmed by being disencumbered of our passions. Declaiming on rebellion never added a bayonet, or a charge of powder to your military force; but I am afraid that it has been the means of taking up many muskets against you.

This outrageous language, which has been encouraged and kept alive by every art, has already done incredible mischief. For a long time, even amidst the desolations of war, and the insults of hostile laws daily accumulated on one another; the American leaders seem to have had the greatest difficulty in bringing up their people to a declaration of total independence. But the court gazette accomplished what the abettors of independence had attempted in vain. When that disingenuous compilation, and strange medley of railing and flattery, was adduced, as a proof of the united

sentiments of the people of Great Britain, there was a great change throughout all America. The tide of popular affection, which had still set towards the parent country, began immediately to turn; and to flow with great rapidity in a contrary course. Far from concealing these wild declarations of enmity, the author of the celebrated pamphlet which prepared the minds of the people for independence, insists largely on the multitude and the spirit of these addresses; and he draws an argument from them, which (if the fact were as he supposes) must be irresistible. For I never knew a writer on the theory of government so partial to authority, as not to allow, that the hostile mind of the rulers to their people, did fully justify a change of government; nor can any reason whatever be given, why one people should voluntarily yield any degree of pre-eminence to another, but on a supposition of great affection and benevolence towards them. Unfortunately your rulers, trusting to other things, took no notice of this great principle of connection. From the beginning of this affair, they have done all they could to alienate your minds from your own kindred; and if they could excite hatred enough in one of the parties towards the other, they seemed to be of opinion that they had gone half the way towards reconciling the quarrel.

I know it is said, that your kindness is only

alienated on account of their resistance; and therefore if the colonies surrender at discretion, all sort of regard, and even much indulgence, is meant towards them in future. But can those who are partisans for continuing a war to enforce such a surrender, be responsible (after all that has passed) for such a future use of a power, that is bound by no compacts, and restrained by no terrour? Will they tell us what they call indulgencies? Do they not at this instant call the present war and all its horrours, a lenient and merciful proceeding?

No conqueror, that I ever heard of, has *professed* to make a cruel, harsh, and insolent use of his conquest. No! The man of the most declared pride, scarcely dares to trust his own heart, with this dreadful secret of ambition. But it will appear in its time; and no man who professes to reduce another to the insolent mercy of a foreign arm, ever had any sort of good-will towards him. The profession of kindness, with that sword in his hand, and that demand of surrender, is one of the most provoking acts of his hostility. I shall be told, that all this is lenient as against rebellious adversaries. But are the leaders of their faction more lenient to those who submit! Lord Howe and General Howe have powers under an act of parliament, to restore to the king's peace and to free trade any men, or district, which shall submit. Is this done? We have been over and over informed

informed by the authorized gazette, that the city of New York, and the countries of Staten and Long Island have submitted voluntarily and cheerfully, and that many are very full of zeal to the cause of administration. Were they instantly restored to trade? Are they yet restored to it? Is not the benignity of two commissioners, naturally most humane and generous men, some way fettered by instructions, equally against their dispositions and the spirit of parliamentary faith; when Mr. Tryon, vaunting of the fidelity of the city in which he is governour, is obliged to apply to ministry for leave to protect the king's loyal subjects, and to grant to them (not the disputed rights and privileges of freedom) but the common rights of men, by the name of *graces?* Why do not the commissioners restore them on the spot? Were they not named as commissioners for that express purpose? But we see well enough to what the whole leads. The trade of America is to be dealt out in *private indulgencies and graces*; that is, in jobs to recompense the incendiaries of war. They will be informed of the proper time in which to send out their merchandise. From a national, the American trade is to be turned into a personal monopoly: and one set of merchants are to be rewarded for the pretended zeal, of which another set are the dupes; and thus between craft and credulity, the voice of

reason is stifled; and all the misconduct, all the calamities of the war are covered and continued.

If I had not lived long enough to be little surprised at any thing, I should have been in some degree astonished at the continued rage of several gentlemen, who, not satisfied with carrying fire and sword into America, are animated nearly with the same fury against those neighbours of theirs, whose only crime it is, that they have charitably and humanely wished them to entertain more reasonable sentiments, and not always to sacrifice their interest to their passion. All this rage against unresisting dissent, convinces me, that at bottom, they are far from satisfied they are in the right. For what is it they would have? A war? They certainly have at this moment the blessing of something that is very like one; and if the war they enjoy at present be not sufficiently hot and extensive, they may shortly have it as warm and as spreading as their hearts can desire. Is it the force of the kingdom they call for? They have it already; and if they choose to fight their battles in their own person, no body prevents their setting sail to America in the next transports. Do they think, that the service is stinted for want of liberal supplies? Indeed they complain without reason. The table of the house of commons will glut them, let their appetite for expence be never so keen.

And

And I assure them further, that those who think with them in the house of commons are full as easy in the control, as they are liberal in the vote of these expences. If this be not supply or confidence sufficient, let them open their own private purse strings, and give, from what is left to them, as largely and as with as little care as they think proper.

Tolerated in their passions, let them learn not to persecute the moderation of their fellow citizens. If all the world joined them in a full cry against rebellion, and were as hotly inflamed against the whole theory and enjoyment of freedom, as those who are the most factious for servitude, it could not in my opinion answer any one end whatsoever in this contest. The leaders of this war could not hire (to gratify their friends) one German more, than they do; or inspire him with less feeling for the persons, or less value for the privileges, of their revolted brethren. If we all adopted their sentiments to a man, their allies, the savage Indians, could not be more ferocious than they are: they could not murder one more helpless woman or child, or with more exquisite refinements of cruelty torment to death one more of their English flesh and blood, than they do already. The publick money is given to purchase this alliance;—and they have their bargain.

They are continually boasting of unanimity, or calling for it. But before this unanimity can be matter either of wish or congratulation, we ought to be pretty sure, that we are engaged in a rational pursuit. Phrensy does not become a slighter distemper on account of the number of those who may be infected with it. Delusion and weakness produce not one mischief the less, because they are universal. I declare, that I cannot discern the least advantage which could accrue to us, if we were able to persuade our colonies that they had not a single friend in Great Britain. On the contrary, if the affections and opinions of mankind be not exploded as principles of connection, I conceive it would be happy for us, if they were taught to believe, that there was even a formed American party in England, to whom they could always look for support! Happy would it be for us, if, in all tempers, they might turn their eyes to the parent state; so that their very turbulence and sedition should find vent in no other place than this. I believe there is not a man (except those who prefer the interest of some paltry faction to the very being of their country) who would not wish that the Americans should from time to time carry many points, and even some of them not quite reasonable, by the aid of any denomination of men here, rather than they should be driven to seek

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for protection against the fury of foreign mercenaries, and the waste of savages, in the arms of France.

When any community is subordinately connected with another, the great danger of the connection is the extreme pride and self-complacency of the superiour, which in all matters of controversy will probably decide in its own favour. It is a powerful corrective to such a very rational cause of fear, if the inferiour body can be made to believe, that the party inclination or political views of several in the principal state, will induce them in some degree to counteract this blind and tyrannical partiality. There is no danger that any one acquiring consideration or power in the presiding state, should carry this leaning to the inferiour too far. The fault of human nature is not of that sort. Power in whatever hands is rarely guilty of too strict limitations on itself. But one great advantage to the support of authority attends such an amicable and protecting connection, that those who have conferred favours obtain influence; and from the foresight of future events can persuade men, who have received obligations, sometimes to return them. Thus by the mediation of those healing principles, (call them good or evil) troublesome discussions are brought to some sort of adjustment; and every hot controversy is not a civil war.

But, if the colonies (to bring the general matter

home to us) could see, that in Great Britain the mass of the people is melted into its government, and that every dispute with the ministry, must of necessity be always a quarrel with the nation; they can stand no longer in the equal and friendly relation of fellow-citizens to the subjects of this kingdom. Humble as this relation may appear to some, when it is once broken, a strong tie is dissolved. Other sort of connections will be sought. For, there are very few in the world, who will not prefer an useful ally to an insolent master.

Such discord has been the effect of the unanimity into which so many have of late been seduced or bullied, or into the appearance of which they have sunk through mere despair. They have been told that their dissent from violent measures is an encouragement to rebellion. Men of great presumption and little knowledge will hold a language which is contradicted by the whole course of history. *General* rebellions and revolts of an whole people never were *encouraged*, now or at any time. They are always *provoked*. But if this unheard-of doctrine of the encouragement of rebellion were true, if it were true that an assurance of the friendship of numbers in this country towards the colonies, could become an encouragement to them to break off all connection with it, what is the inference? Does any body seriously maintain, that,

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charged with my share of the publick councils, I am obliged not to resist projects which I think mischievous, lest men who suffer should be encouraged to resist? The very tendency of such projects to produce rebellion is one of the chief reasons against them. Shall that reason not be given? Is it then a rule, that no man in this nation shall open his mouth in favour of the colonies, shall defend their rights, or complain of their sufferings? Or when war finally breaks out, no man shall express his desires of peace? Has this been the law of our past, or is it to be the terms of our future connection? Even looking no further than ourselves, can it be true loyalty to any government, or true patriotism towards any country, to degrade their solemn councils into servile drawing-rooms, to flatter their pride and passions, rather than to enlighten their reason, and to prevent them from being cautioned against violence lest others should be encouraged to resistance? By such acquiescence great kings and mighty nations have been undone; and, if any are at this day in a perilous situation from rejecting truth, and listening to flattery, it would rather become them to reform the errours under which they suffer, than to reproach those who forewarned them of their danger.

But the rebels looked for assistance from t country. They did so in the beginning of t controversy,

controversy, most certainly; and they sought it by earnest supplications to government, which dignity rejected, and by a suspension of commerce, which the wealth of this nation enabled you to despise. When they found that neither prayers nor menaces had any sort of weight, but that a firm resolution was taken to reduce them to unconditional obedience by a military force, they came to the last extremity. Despairing of us, they trusted in themselves. Not strong enough themselves, they sought succour in France. In proportion as all encouragement here lessened, their distance from this country increased. The encouragement is over; the alienation is complete.

In order to produce this favourite unanimity in delusion, and to prevent all possibility of a return to our ancient happy concord, arguments for our continuance in this course, are drawn from the wretched situation itself into which we have been betrayed. It is said, that being at war with the colonies, whatever our sentiments might have been before, all ties between us are now dissolved; and all the policy we have left is to strengthen the hands of government to reduce them. On the principle of this argument, the more mischiefs we suffer from any administration, the more our trust in it is to be confirmed. Let them but once get us into a war, and then their power is safe, and an act of oblivion past for all their misconduct.

But

But is it really true, that government is always to be strengthened with the instruments of war, but never furnished with the means of peace? In former times, ministers, I allow, have been sometimes driven by the popular voice to assert by arms the national honour against foreign powers. But the wisdom of the nation has been far more clear, when those ministers have been compelled to consult its interests by treaty. We all know that the sense of the nation obliged the court of Charles the Second to abandon the *Dutch war*; a war next to the present the most impolitick which we ever carried on. The good people of England considered Holland as a sort of dependency on this kingdom; they dreaded to drive it to the protection, or subject it to the power of France, by their own inconsiderate hostility. They paid but little respect to the court jargon of that day; nor were they inflamed by the pretended rivalship of the Dutch in trade; by the massacre at Amboyna, acted on the stage to provoke the publick vengeance; nor by declamations against the ingratitude of the United Provinces for the benefits England had conferred upon them in their infant state. They were not moved from their evident interest by all these arts; nor was it enough to tell them, they were at war; that they must go through with it; and that the cause of the dispute was lost in the consequences. The people of England

England were then, as they are now, called upon to make government strong. They thought it a great deal better to make it wise and honest.

When I was amongst my constituents at the last summer assizes, I remember that men of all descriptions did then express a very strong desire for peace, and no slight hopes of attaining it from the commission sent out by my Lord Howe. And it is not a little remarkable, that in proportion as every person shewed a zeal for the court measures, he was then earnest in circulating an opinion of the extent of the supposed powers of that commission. When I told them that Lord Howe had no powers to treat, or to promise satisfaction on any point whatsoever of the controversy, I was hardly credited; so strong and general was the desire of terminating this war by the method of accommodation. As far as I could discover, this was the temper then prevalent through the kingdom. The king's forces, it must be observed, had at that time been obliged to evacuate Boston. The superiority of the former campaign rested wholly with the colonists. If such powers of treaty were to be wished, whilst success was very doubtful, how came they to be less so, since his majesty's arms have been crowned with many considerable advantages? Have these successes induced us to alter our mind, as thinking the season of victory not the time for treating with honour

or advantage? Whatever changes have happened in the national character, it can scarcely be our wish, that terms of accommodation never should be proposed to our enemy, except when they must be attributed solely to our fears. It has happened, let me say unfortunately, that we read of his majesty's commission for making peace, and his troops evacuating his last town in the thirteen colonies, at the same hour and in the same gazette. It was still more unfortunate, that no commission went to America to settle the troubles there, until several months after an act had been passed to put the colonies out of the protection of this government, and to divide their trading property, without a possibility of restitution, as spoil among the seamen of the navy. The most abject submission on the part of the colonies could not redeem them. There was no man on that whole continent, or within three thousand miles of it, qualified by law to follow allegiance with protection, or submission with pardon. A proceeding of this kind has no example in history. Independency, and independency with an enmity (which putting ourselves out of the question would be called natural and much provoked) was the inevitable consequence. How this came to pass, the nation may be one day in an humour to enquire.

All the attempts made this session to give fuller powers of peace to the commanders in America,

were

were stifled by the fatal confidence of victory, and the wild hopes of unconditional submission. There was a moment favourable to the king's arms, when if any powers of concession had existed, on the other side of the Atlantick, even after all our errours, peace in all probability might have been restored. But calamity is unhappily the usual season of reflection; and the pride of men will not often suffer reason to have any scope until it can be no longer of service.

I have always wished, that as the dispute had its apparent origin from things done in parliament, and as the acts passed there had provoked the war, that the foundations of peace should be laid in parliament also. I have been astonished to find, that those whose zeal for the dignity of our body was so hot, as to light up the flames of civil war, should even publickly declare, that these delicate points ought to be wholly left to the crown. Poorly as I may be thought affected to the authority of parliament, I shall never admit that our constitutional rights can ever become a matter of ministerial negociation.

I am charged with being an American. If warm affection towards those over whom I claim any share of authority, be a crime, I am guilty of this charge. But I do assure you (and they who know me publickly and privately will bear witness to me) that if ever one man lived more zealous than another,

another, for the supremacy of parliament, and the rights of this imperial crown, it was myself. Many others indeed might be more knowing in the extent of the foundation of these rights. I do not pretend to be an antiquary, a lawyer, or qualified for the chair of professor in metaphysicks. I never ventured to put your solid interests upon speculative grounds. My having constantly declined to do so has been attributed to my incapacity for such disquisitions; and I am inclined to believe it is partly the cause. I never shall be ashamed to confess, that where I am ignorant I am diffident. I am indeed not very solicitous to clear myself of this imputed incapacity; because men, even less conversant than I am, in this kind of subtleties, and placed in stations, to which I ought not to aspire, have by the mere force of civil discretion, often conducted the affairs of great nations with distinguished felicity and glory.

When I first came into a publick trust, I found your parliament in possession of an unlimited legislative power over the colonies. I could not open the statute book, without seeing the actual exercise of it, more or less, in all cases whatsoever. This possession passed with me for a title. It does so in all human affairs. No man examines into the defects of his title to his paternal estate, or to his established government. Indeed common sense taught me, that a legislative authority, not actually limited by the express terms of its foundation, or

by its own subsequent acts, cannot have its powers parcelled out by argumentative distinctions, so as to enable us to say, that here they can, and there they cannot bind. Nobody was so obliging as to produce to me any record of such distinctions, by compact or otherwise, either at the successive formation of the several colonies, or during the existence of any of them. If any gentlemen were able to see, how one power could be given up, (merely on abstract reasoning) without giving up the rest, I can only say, that they saw further than I could; nor did I ever presume to condemn any one for being clear-sighted, when I was blind. I praise their penetration and learning; and hope that their practice has been correspondent to their theory.

I had indeed very earnest wishes to keep the whole body of this authority perfect and entire as I found it, and to keep it so, not for our advantage solely; but principally for the sake of those, on whose account all just authority exists; I mean the people to be governed. For I thought I saw, that many cases might well happen, in which the exercise of every power comprehended in the broadest idea of legislature, might become in its time and circumstances, not a little expedient for the peace and union of the colonies amongst themselves, as well as for their perfect harmony with Great Britain. Thinking so, (perhaps erroneously) but being honestly of that opinion, I was at the same time very sure, that the authority of which

I was so jealous, could not under the actual circumstances of our plantations be at all preserved in any of its members, but by the greatest reserve in its application; particularly in those delicate points, in which the feelings of mankind are the most irritable. They who thought otherwise, have found a few more difficulties in their work than (I hope) they were thoroughly aware of, when they undertook the present business. I must beg leave to observe, that it is not only the invidious branch of taxation that will be resisted, but that no other given part of legislative rights can be exercised, without regard to the general opinion of those who are to be governed. That general opinion is the vehicle, and organ of legislative omnipotence. Without this, it may be a theory to entertain the mind, but it is nothing in the direction of affairs. The completeness of the legislative authority of parliament *over this kingdom* is not questioned; and yet many things indubitably included in the abstract idea of that power, and which carry no absolute injustice in themselves, yet being contrary to the opinions and feelings of the people, can as little be exercised, as if parliament in that case had been possessed of no right at all. I see no abstract reason, which can be given, why the same power which made and repealed the high commission court and the star-chamber, might not revive them again; and these

courts, warned by their former fate, might possibly exercise their powers with some degree of justice. But the madness would be as unquestionable, as the competence of that parliament, which should attempt such things. If any thing can be supposed out of the power of human legislature, it is religion; I admit, however, that the established religion of this country has been three or four times altered by act of parliament; and therefore that a statute binds even in that case. But we may very safely affirm, that notwithstanding this apparent omnipotence, it would be now found as impossible for king and parliament to alter the established religion of this country, as it was to King James alone, when he attempted to make such an alteration without a parliament. In effect, to follow, not to force the publick inclination; to give a direction, a form, a technical dress, and a specifick sanction, to the general sense of the community, is the true end of legislature.

It is so with regard to the exercise of all the powers, which our constitution knows in any of its parts, and indeed to the substantial existence of any of the parts themselves. The king's negative to bills is one of the most indisputed of the royal prerogatives; and it extends to all cases whatsoever. I am far from certain, that if several laws, which I know, had fallen under the stroke of that sceptre, that the publick would have had a very

a very heavy loss. But it is not the *propriety* of the exercise which is in question. The exercise itself is wisely foreborne. Its repose may be the preservation of its existence; and its existence may be the means of saving the constitution itself, on an occasion worthy of bringing it forth. As the disputants, whose accurate and logical reasonings have brought us into our present condition, think it absurd, that powers or members of any constitution should exist, rarely or ever to be exercised, I hope I shall be excused in mentioning another instance, that is material. We know, that the convocation of the clergy had formerly been called, and sat with nearly as much regularity to business as parliament itself. It is now called for form only. It sits for the purpose of making some polite ecclesiastical compliments to the king; and when that grace is said, retires and is heard of no more. It is however *a part of the constitution*, and may be called out into act and energy, whenever there is occasion; and whenever those, who conjure up that spirit, will choose to abide the consequences. It is wise to permit its legal existence; it is much wiser to continue it a legal existence only. So truly has prudence (constituted as the god of this lower world) the entire dominion over every exercise of power committed into its hands; and yet I have lived to see prudence and conformity to circumstances, wholly set at naught in our late

controversies, and treated as if they were the most contemptible and irrational of all things. I have heard it a hundred times very gravely alleged, that in order to keep power in wind, it was necessary, by preference, to exert it in those very points in which it was most likely to be resisted, and the least likely to be productive of any advantage.

These were the considerations, gentlemen, which led me early to think, that, in the comprehensive dominion which the Divine Providence had put into our hands, instead of troubling our understandings with speculations concerning the unity of empire, and the identity or distinction of legislative powers, and inflaming our passions with the heat and pride of controversy, it was our duty, in all soberness, to conform our government to the character and circumstances of the several people who composed this mighty and strangely diversified mass. I never was wild enough to conceive, that one method would serve for the whole; that the natives of Hindostan and those of Virginia could be ordered in the same manner; or that the Cutchery court and the grand jury of Salem could be regulated on a similar plan. I was persuaded that government was a practical thing, made for the happiness of mankind, and not to furnish out a spectacle of uniformity, to gratify the schemes of visionary politicians. Our business

was

was to rule, not to wrangle; and it would have been a poor compensation that we had triumphed in a dispute, whilst we lost an empire.

If there be one fact in the world perfectly clear, it is this: "That the disposition of the people of "America is wholly averse to any other than a "free government;" and this is indication enough to any honest statesman, how he ought to adapt whatever power he finds in his hands to their case. If any ask me what a free government is, I answer that, for any practical purpose, it is what the people think so; and that they, and not I, are the natural, lawful, and competent judges of this matter. If they practically allow me a greater degree of authority over them than is consistent with any correct ideas of perfect freedom, I ought to thank them for so great a trust, and not to endeavour to prove from thence, that they have reasoned amiss, and that having gone so far, by analogy, they must hereafter have no enjoyment but by my pleasure.

If we had seen this done by any others, we should have concluded them far gone in madness. It is melancholy as well as ridiculous, to observe the kind of reasoning with which the publick has been amused, in order to divert our minds from the common sense of our American policy. There are people, who have split and anatomised the doctrine of free government, as if it were an abstract question concerning metaphysical liberty and

necessity; and not a matter of moral prudence and natural feeling. They have disputed, whether liberty be a positive or a negative idea; whether it does not consist in being governed by laws; without considering what are the laws, or who are the makers; whether man has any rights by nature; and whether all the property he enjoys, be not the alms of his government, and his life itself their favour and indulgence. Others corrupting religion, as these have perverted philosophy, contend, that Christians are redeemed into captivity; and the blood of the Saviour of mankind has been shed to make them the slaves of a few proud and insolent sinners. These shocking extremes, provoking to extremes of another kind, speculations are let loose as destructive to all authority, as the former are to all freedom; and every government is called tyranny and usurpation which is not formed on their fancies. In this manner the stirrers-up of this contention, not satisfied with distracting our dependencies and filling them with blood and slaughter, are corrupting our understandings: they are endeavouring to tear up, along with practical liberty, all the foundations of human society, all equity and justice, religion and order.

Civil freedom, gentlemen, is not, as many have endeavoured to persuade you, a thing that lies hid in the depth of abstruse science. It is a blessing and a benefit,

a benefit, not an abstract speculation; and all the just reasoning that can be upon it, is of so coarse a texture, as perfectly to suit the ordinary capacities of those who are to enjoy, and of those who are to defend it. Far from any resemblance to those propositions in geometry and metaphysicks, which admit no medium, but must be true or false in all their latitude; social and civil freedom, like all other things in common life, are variously mixed and modified, enjoyed in very different degrees, and shaped into an infinite diversity of forms, according to the temper and circumstances of every community. The *extreme* of liberty (which is its abstract perfection, but its real fault) obtains no where, nor ought to obtain any where. Because extremes, as we all know, in every point which relates either to our duties or satisfactions in life, are destructive both to virtue and enjoyment. Liberty too must be limited in order to be possessed. The degree of restraint it is impossible in any case to settle precisely. But it ought to be the constant aim of every wise publick counsel, to find out by cautious experiments, and rational, cool endeavours, with how little, not how much of this restraint, the community can subsist. For liberty is a good to be improved, and not an evil to be lessened. It is not only a private blessing of the first order, but the vital spring and energy of the state itself, which has just so much life and vigour

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as there is liberty in it. But whether liberty be advantageous or not, (for I know it is a fashion to decry the very principle) none will dispute that peace is a blessing; and peace must in the course of human affairs be frequently bought by some indulgence and toleration at least to liberty. For as the sabbath, (though of divine institution) was made for man, not man for the sabbath, government, which can claim no higher origin or authority, in its exercise at least, ought to conform to the exigencies of the time, and the temper and character of the people, with whom it is concerned; and not always to attempt violently to bend the people to their theories of subjection. The bulk of mankind on their part are not excessively curious concerning any theories, whilst they are really happy; and one sure symptom of an ill-conducted state, is the propensity of the people to resort to them.

But when subjects, by a long course of such ill conduct, are once thoroughly inflamed, and the state itself violently distempered, the people must have some satisfaction to their feelings more solid than a sophistical speculation on law and government. Such was our situation; and such a satisfaction was necessary to prevent recourse to arms; it was necessary towards laying them down; it will be necessary to prevent the taking them up again and again. Of what nature this satisfaction ought

ought to be, I wish it had been the disposition of parliament seriously to consider. It was certainly a deliberation that called for the exertion of all their wisdom.

I am, and ever have been deeply sensible, of the difficulty of reconciling the strong presiding power, that is so useful towards the conservation of a vast, disconnected, infinitely diversified empire, with that liberty and safety of the provinces, which they must enjoy, (in opinion and practice at least) or they will not be provinces at all. I know, and have long felt the difficulty of reconciling the unwieldy haughtiness of a great ruling nation, habituated to command, pampered by enormous wealth, and confident from a long course of prosperity and victory, to the high spirit of free dependencies, animated with the first glow and activity of juvenile heat, and assuming to themselves as their birthright, some part of that very pride which oppresses them. They who perceive no difficulty in reconciling these tempers, (which however to make peace must some way or other be reconciled) are much above my capacity, or much below the magnitude of the business. Of one thing I am perfectly clear, that it is not by deciding the suit, but by compromising the difference, that peace can be restored or kept. They who would put an end to such quarrels, by declaring roundly in favour of the whole demands of either party,

party, have mistaken, in my humble opinion, the office of a mediator.

The war is now of full two years standing; the controversy of many more. In different periods of the dispute, different methods of reconciliation were to be pursued. I mean to trouble you with a short state of things at the most important of these periods, in order to give you a more distinct idea of our policy with regard to this most delicate of all objects. The colonies were from the beginning subject to the legislature of Great Britain, on principles which they never examined; and we permitted to them many local privileges, without asking how they agreed with that legislative authority. Modes of administration were formed in an insensible and very unsystematick manner. But they gradually adapted themselves to the varying condition of things.—What was first a single kingdom stretched into an empire; and an imperial superintendency of some kind or other became necessary. Parliament from a mere representative of the people, and a guardian of popular privileges for its own immediate constituents, grew into a mighty sovereign. Instead of being a control on the crown on its own behalf, it communicated a sort of strength to the royal authority; which was wanted for the conservation of a new object, but which could not be safely trusted to the crown alone. On the other hand, the colonies advancing

advancing by equal steps, and governed by the same necessity, had formed within themselves, either by royal instruction or royal charter, assemblies so exceedingly resembling a parliament, in all their forms, functions, and powers, that it was impossible they should not imbibe some opinion of a similar authority.

At the first designation of these assemblies, they were probably not intended for any thing more, (nor perhaps did they think themselves much higher) than the municipal corporations within this island, to which some at present love to compare them. But nothing in progression can rest on its original plan. We may as well think of rocking a grown man in the cradle of an infant. Therefore as the colonies prospered and increased to a numerous and mighty people, spreading over a very great tract of the globe; it was natural that they should attribute to assemblies, so respectable in their formal constitution, some part of the dignity of the great nations which they represented. No longer tied to by-laws, these assemblies made acts of all sorts and in all cases whatsoever. They levied money, not for parochial purposes, but upon regular grants to the crown, following all the rules and principles of a parliament to which they approached every day more and more nearly. Those who think themselves wiser than Providence and stronger than the course of nature, may complain

of

of all this variation, on the one side or the other, as their several humours and prejudices may lead them. But things could not be otherwise; and English colonies must be had on these terms, or not had at all. In the mean time neither party felt any inconvenience from this double legislature, to which they had been formed by imperceptible habits, and old custom, the great support of all the governments in the world. Though these two legislatures were sometimes found perhaps performing the very same functions, they did not very grossly or systematically clash. In all likelihood this arose from mere neglect; possibly from the natural operation of things, which left to themselves, generally fall into their proper order. But whatever was the cause, it is certain that a regular revenue by the authority of parliament for the support of civil and military establishments, seems not to have been thought of until the colonies were too proud to submit, too strong to be forced, too enlightened not to see all the consequences which must arise from such a system.

If ever this scheme of taxation was to be pushed against the inclinations of the people, it was evident that discussions must arise, which would let loose all the elements that composed this double constitution; would shew how much each of their members had departed from its original principles; and would discover contradictions in each legislature,

as

as well to its own first principles, as to its relation to the other, very difficult if not absolutely impossible to be reconciled.

Therefore at the first fatal opening of this contest, the wisest course seemed to be to put an end as soon as possible to the immediate causes of the dispute; and to quiet a discussion, not easily settled upon clear principles, and arising from claims, which pride would permit neither party to abandon, by resorting as nearly as possible to the old successful course. A mere repeal of the obnoxious tax, with a declaration of the legislative authority of this kingdom, was then fully sufficient to procure peace to *both sides*. Man is a creature of habit, and the first breach being of very short continuance, the colonies fell back exactly into their ancient state. The congress has used an expression with regard to this pacification, which appears to me truly significant. After the repeal of the Stamp Act, "the colonies fell," says this assembly, "into their ancient state of *unsuspecting* "*confidence in the mother country.*" This unsuspecting confidence is the true center of gravity amongst mankind, about which all the parts are at rest. It is this *unsuspecting confidence* that removes all difficulties, and reconciles all the contradictions which occur in the complexity of all ancient puzzled political establishments. Happy are the rulers which have the secret of preserving it!

The

The whole empire has reason to remember with eternal gratitude, the wisdom and temper of that man and his excellent associates, who, to recover this confidence, formed a plan of pacification in 1766. That plan, being built upon the nature of man, and the circumstances and habits of the two countries, and not on any visionary speculations, perfectly answered its end, as long as it was thought proper to adhere to it. Without giving a rude shock to the dignity (well or ill understood) of this parliament, they gave perfect content to our dependencies. Had it not been for the mediatorial spirit and talents of that great man, between such clashing pretensions and passions, we should then have rushed headlong (I know what I say) into the calamities of that civil war, in which, by departing from his system, we are at length involved; and we should have been precipitated into that war, at a time, when circumstances both at home and abroad were far, very far, more unfavourable unto us than they were at the breaking out of the present troubles.

I had the happiness of giving my first votes in parliament for that pacification. I was one of those almost unanimous members, who, in the necessary concessions of parliament, would as much as possible have preserved its authority, and respected its honour. I could not at once tear from my heart prejudices which were dear to me, and which bore a resemblance

a resemblance to virtue. I had then, and I have still my partialities. What parliament gave up, I wished to be given as of grace, and favour, and affection, and not as a restitution of stolen goods. High dignity relented as it was soothed; and a benignity from old acknowledged greatness had its full effect on our dependencies. Our unlimited declaration of legislative authority produced not a single murmur. If this undefined power has become odious since that time, and full of horrour to the colonies, it is because the *unsuspicious confidence* is lost, and the parental affection, in the bosom of whose boundless authority they reposed their privileges, is become estranged and hostile.

It will be asked, if such was then my opinion of the mode of pacification, how I came to be the very person who moved, not only for a repeal of all the late coercive statutes, but for mutilating by a positive law, the entireness of the legislative power of parliament, and cutting off from it the whole right of taxation? I answer, because a different state of things requires a different conduct. When the dispute had gone to these last extremities (which no man laboured more to prevent than I did;) the concessions which had satisfied in the beginning, could satisfy no longer; because the violation of tacit faith required explicit security. The same cause which has introduced all formal compacts and covenants among men made it

necessary. I mean habits of soreness, jealousy, and distrust. I parted with it, as with a limb; but as a limb to save the body; and I would have parted with more, if more had been necessary; any thing rather than a fruitless, hopeless, unnatural civil war. This mode of yielding, would, it is said, give way to independency, without a war. I am persuaded from the nature of things, and from every information, that it would have had a directly contrary effect. But if it had this effect, I confess that I should prefer independency without war, to independency with it; and I have so much trust in the inclinations and prejudices of mankind, and so little in any thing else, that I should expect ten times more benefit to this kingdom from the affection of America, though under a separate establishment, than from her perfect submission to the crown and parliament, accompanied with her terrour, disgust, and abhorrence. Bodies tied together by so unnatural a bond of union, as mutual hatred, are only connected to their ruin.

One hundred and ten respectable members of parliament voted for that concession. Many not present, when the motion was made, were of the sentiments of those who voted. I knew it would then have made peace. I am not without hopes that it would do so at present if it were adopted. No benefit, no revenue could be lost by it; something might possibly be gained by its consequences.

For be fully assured, that, of all the phantoms that ever deluded the fond hopes of a credulous world, a parliamentary revenue in the colonies is the most perfectly chimerical. Your breaking them to any subjection, far from relieving your burthens, (the pretext for this war,) will never pay that military force which will be kept up to the destruction of their liberties and yours. I risk nothing in this prophecy.

Gentlemen, you have my opinions on the present state of publick affairs. Mean as they may be in themselves, your partiality has made them of some importance. Without troubling myself to enquire whether I am under a formal obligation to it, I have a pleasure in accounting for my conduct to my constituents. I feel warmly on this subject, and I express myself as I feel. If I presume to blame any publick proceeding, I cannot be supposed to be personal. Would to God I could be suspected of it. My fault might be greater, but the publick calamity would be less extensive. If my conduct has not been able to make any impression on the warm part of that ancient and powerful party, with whose support I was not honoured at my election; on my side, my respect, regard, and duty to them is not at all lessened. I owe the gentlemen who compose it, my most humble service in every thing. I hope that whenever any of them were pleased to command me, that they found me

perfectly equal in my obedience. But flattery and friendship are very different things; and to mislead is not to serve them. I cannot purchase the favour of any man by concealing from him what I think his ruin. By the favour of my fellow citizens, I am the representative of an honest, well-ordered, virtuous city; of a people, who preserve more of the original English simplicity, and purity of manners, than perhaps any other. You possess among you several men and magistrates of large and cultivated understandings; fit for any employment in any sphere. I do, to the best of my power, act so as to make myself worthy of so honourable a choice. If I were ready, on any call of my own vanity or interest, or to answer any election purpose, to forsake principles, (whatever they are) which I had formed at a mature age, on full reflection, and which had been confirmed by long experience, I should forfeit the only thing which makes you pardon so many errours and imperfections in me. Not that I think it fit for any one to rely too much on his own understanding; or to be filled with a presumption, not becoming a christian man, in his own personal stability and rectitude.

I hope I am far from that vain confidence, which almost always fails in trial. I know my weakness in all respects, as much at least as any enemy I have; and I attempt to take security against it. The only method which has ever been found

found effectual to preserve any man against the corruption of nature and example, is an habit of life and communication of councils with the most virtuous and publick-spirited men of the age you live in. Such a society cannot be kept without advantage or deserted without shame. For this rule of conduct I may be called in reproach a *party man*; but I am little affected with such aspersions. In the way which they call party, I worship the constitution of your fathers; and I shall never blush for my political company. All reverence to honour, all idea of what it is, will be lost out of the world, before it can be imputed as a fault to any man, that he has been closely connected with those incomparable persons, living and dead, with whom for eleven years I have constantly thought and acted. If I have wandered out of the paths of rectitude into those of interested faction, it was in company with the Saviles, the Dowdeswells, the Wentworths, the Bentincks; with the Lenoxes, the Manchesters, the Keppels, the Saunders's; with the temperate, permanent, hereditary virtue of the whole house of Cavendish; names, among which, some have extended your fame and empire in arms, and all have fought the battle of your liberties in fields not less glorious.—These and many more like these, grafting publick principles on private honour, have redeemed the present age, and would have adorned the most splendid period in your

history. Where could any man, conscious of his own inability to act alone, and willing to act as he ought to do, have arranged himself better? If any one thinks this kind of society to be taken up as the best method of gratifying low personal pride, or ambitious interest, he is mistaken; and knows nothing of the world.

Preferring this connection; I do not mean to detract in the slightest degree from others. There are some of those, whom I admire at something of a greater distance, with whom I have had the happiness also perfectly to agree, in almost all the particulars, in which I have differed with some successive administrations; and they are such, as it never can be reputable to any government to reckon among its enemies. I hope there are none of you, corrupted with the doctrine taught by wicked men for the worst purposes, and received by the malignant credulity of envy and ignorance, which is, that the men who act upon the public stage are all alike; all equally corrupt; all influenced by no other views than the sordid lure of salary and pension. The thing, I know by experience to be false. Never expecting to find perfection in men, and not looking for divine attributes in created beings, in my commerce with my cotemporaries, I have found much human virtue. I have seen not a little publick spirit; a real subordination of interest to duty; and a decent and regulated

regulated sensibility to honest fame and reputation. The age unquestionably produces, (whether in a greater or less number than former times, I know not) daring profligates, and insidious hypocrites. What then? Am I not to avail myself of whatever good is to be found in the world, because of the mixture of evil that will always be in it? The smallness of the quantity in currency only heightens the value. They, who raise suspicions on the good on account of the behaviour of ill men, are of the party of the latter. The common cant is no justification for taking this party. I have been deceived, say they, by *Titius* and *Mævius*; I have been the dupe of this pretender or of that mountebank; and I can trust appearances no longer. But my credulity and want of discernment cannot, as I conceive, amount to a fair presumption against any man's integrity. A conscientious person would rather doubt his own judgment, than condemn his species. He would say, I have observed without attention, or judged upon erroneous maxims; I trusted to profession, when I ought to have attended to conduct. Such a man will grow wise, not malignant, by his acquaintance with the world. But he that accuses all mankind of corruption, ought to remember that he is sure to convict only one. In truth I should much rather admit those whom at any time I have disrelished the most, to be patterns of perfection, than seek a consolation

to my own unworthiness, in a general communion of depravity with all about me.

That this ill-natured doctrine should be preached by the missionaries of a court I do not wonder. It answers their purpose. But that it should be heard among those who pretend to be strong assertors of liberty, is not only surprising, but hardly natural. This moral levelling is a *servile principle*. It leads to practical passive obedience far better, than all the doctrines, which the pliant accommodation of theology to power has ever produced. It cuts up by the roots, not only all idea of forcible resistance, but even of civil opposition. It disposes men to an abject submission, not by opinion, which may be shaken by argument or altered by passion, but by the strong ties of publick and private interest. For if all men who act in a public situation are equally selfish, corrupt, and venal, what reason can be given for desiring any sort of change, which besides the evils which must attend all changes, can be productive of no possible advantage? The active men in the state are true samples of the mass. If they are universally depraved, the commonwealth itself is not sound. We may amuse ourselves with talking as much as we please of the virtue of middle or humble life; that is, we may place our confidence in the virtue of those who have never been tried. But if the persons who are continually emerging out of that sphere, be no better

better than those whom birth has placed above it, what hopes are there in the remainder of the body, which is to furnish the perpetual succession of the state? All who have ever written on government, are unanimous, that among a people generally corrupt, liberty cannot long exist. And indeed how is it possible? when those who are to make the laws, to guard, to enforce, or to obey them, are by a tacit confederacy of manners, indisposed to the spirit of all generous and noble institutions.

I am aware that the age is not what we all wish. But I am sure, that the only means of checking its precipitate degeneracy, is heartily to concur with whatever is the best in our time; and to have some more correct standard of judging what that best is, than the transient and uncertain favour of a court. If once we are able to find, and can prevail on ourselves to strengthen an union of such men, whatever accidentally becomes indisposed to ill-exercised power, even by the ordinary operation of human passions, must join with that society, and cannot long be joined, without in some degree assimilating to it. Virtue will catch as well as vice by contact; and the publick stock of honest manly principle will daily accumulate. We are not too nicely to scrutinize motives as long as action is irreproachable. It is enough, (and for a worthy man perhaps too much) to deal out its infamy to convicted guilt and declared apostacy.

This,

This, Gentlemen, has been from the beginning the rule of my conduct; and I mean to continue it, as long as such a body as I have described, can by any possibility be kept together; for I should think it the most dreadful of all offences, not only towards the present generation but to all the future, if I were to do any thing which could make the minutest breach in this great conservatory of free principles. Those who perhaps have the same intentions, but are separated by some little political animosities, will I hope discern at last, how little conducive it is to any rational purpose, to lower its reputation. For my part, Gentlemen, from much experience, from no little thinking, and from comparing a great variety of things, I am thoroughly persuaded, that the last hopes of preserving the spirit of the English constitution, or of re-uniting the dissipated members of the English race upon a common plan of tranquillity and liberty, does entirely depend on their firm and lasting union; and above all on their keeping themselves from that despair, which is so very apt to fall on those, whom a violence of character and a mixture of ambitious views, do not support through a long, painful, and unsuccessful struggle.

There never, Gentlemen, was a period in which the stedfastness of some men has been put to so sore a trial. It is not very difficult for well-formed minds to abandon their interest; but the separation

separation of fame and virtue is an harsh divorce. Liberty is in danger of being made unpopular to Englishmen. Contending for an imaginary power, we begin to acquire the spirit of domination, and to lose the relish of honest equality. The principles of our forefathers become suspected to us, because we see them animating the present opposition of our children. The faults which grow out of the luxuriance of freedom, appear much more shocking to us, than the base vices which are generated from the rankness of servitude. Accordingly the least resistance to power appears more inexcusable in our eyes than the greatest abuses of authority. All dread of a standing military force is looked upon as a superstitious panick. All shame of calling in foreigners and savages in a civil contest is worn off. We grow indifferent to the consequences inevitable to ourselves from the plan of ruling half the empire by a mercenary sword. We are taught to believe, that a desire of domineering over our countrymen is love to our country; that those who hate civil war abet rebellion, and that the amiable and conciliatory virtues of lenity, moderation, and tenderness to the privileges of those who depend on this kingdom, are a sort of treason to the state.

It is impossible that we should remain long in a situation, which breeds such notions and dispositions,

dispositions, without some great alteration in the national character. Those ingenuous and feeling minds who are so fortified against all other things, and so unarmed to whatever approaches in the shape of disgrace, finding these principles, which they considered as sure means of honour, to be grown into disrepute, will retire disheartened and disgusted. Those of a more robust make, the bold, able, ambitious men, who pay some of their court to power through the people, and substitute the voice of transient opinion in the place of true glory, will give into the general mode; and those superiour understandings which ought to correct vulgar prejudice, will confirm and aggravate its errours. Many things have been long operating towards a gradual change in our principles. But this American war has done more in a very few years, than all the other causes could have effected in a century. It is therefore not on its own separate account, but because of its attendant circumstances, that I consider its continuance, or its ending in any way but that of an honourable and liberal accommodation, as the greatest evils which can befal us. For that reason I have troubled you with this long letter. For that reason I intreat you again and again, neither to be persuaded, shamed, or frighted out of the principles that have hitherto led so many of you to abhor the war:

war, its cause, and its consequences. Let us not be amongst the first who renounce the maxims of our Forefathers.

I have the honour to be,

GENTLEMEN,

Your most obedient,

And faithful humble servant,

EDMUND BURKE.

Beaconsfield,
April 3, 1777.

P.S. You may communicate this letter in any manner you think proper to my constituents.

TWO LETTERS

FROM

MR. BURKE,

TO

ENTLEMEN IN THE CITY OF BRISTOL;

ON THE

BILLS DEPENDING IN PARLIAMENT

RELATIVE TO THE

TRADE OF IRELAND.

1778.

TO

SAMUEL SPAN, Esq.

MASTER OF THE SOCIETY OF MERCHANTS ADVENTURERS OF BRISTOL.

SIR,

I AM honoured with your letter of the 13th, in answer to mine, which accompanied the resolutions of the House relative to the trade of Ireland.

You will be so good as to present my best respects to the Society, and to assure them, that it was altogether unnecessary to remind me of the interest of the constituents. I have never regarded any thing else, since I had a seat in parliament. Having frequently and maturely considered that interest, and stated it to myself in almost every point of view, I am persuaded, that, under the present circumstances, I cannot more effectually pursue it, than by giving all the support in my power to the propositions which I lately transmitted to the hall.

The fault I find in the scheme is,—that it falls

extremely short of that liberality in the commercial system, which, I trust, will one day be adopted. If I had not considered the present resolutions, merely as preparatory to better things, and as a means of shewing experimentally, that justice to others is not always folly to ourselves, I should have contented myself with receiving them in a cold and silent acquiescence. Separately considered, they are matters of no very great importance. But they aim, however imperfectly, at a right principle. I submit to the restraint to appease prejudice: I accept the enlargement, so far as it goes, as the result of reason and of sound policy.

We cannot be insensible of the calamities which have been brought upon this nation by an obstinate adherence to narrow and restrictive plans of government. I confess, I cannot prevail on myself to take them up, precisely at a time, when the most decisive experience has taught the rest of the world to lay them down. The propositions in question did not originate from me, or from my particular friends. But when things are so right in themselves, I hold it my duty, not to inquire from what hands they come. I opposed the American measures upon the very same principle on which I support those that relate to Ireland. I was convinced, that the evils which have arisen from the adoption of the former, would be infinitely aggravated by the rejection of the latter.

Perhaps gentlemen are not yet fully aware of the situation of their country, and what its exigencies absolutely require. I find that we are still disposed to talk at our ease, and as if all things were to be regulated by our good pleasure. I should consider it as a fatal symptom, if, in our present distressed and adverse circumstances, we should persist in the errours which are natural only to prosperity. One cannot indeed sufficiently lament the continuance of that spirit of delusion, by which, for a long time past, we have thought fit to measure our necessities by our inclinations. Moderation, prudence, and equity, are far more suitable to our condition, than loftiness, and confidence, and rigour. We are threatened by enemies of no small magnitude, whom, if we think fit, we may despise, as we have despised others; but they are enemies who can only cease to be truly formidable, by our entertaining a due respect for their power. Our danger will not be lessened by our shutting our eyes to it; nor will our force abroad be increased by rendering ourselves feeble, and divided at home.

There is a dreadful schism in the British nation. Since we are not able to re-unite the empire, it is our business to give all possible vigour and soundness to those parts of it which are still content to be governed by our councils. Sir, it is proper to inform you, that our measures *must be healing*.

Such a degree of strength must be communicated to all the members of the state, as may enable them to defend themselves, and to co-operate in the defence of the whole. Their temper too must be managed, and their good affections cultivated. They may then be disposed to bear the load with cheerfulness, as a contribution towards what may be called with truth and propriety, and not by an empty form of words, *a common cause*. Too little dependence cannot be had, at this time of day, on names and prejudices. The eyes of mankind are opened; and communities must be held together by an evident and solid interest. God forbid, that our conduct should demonstrate to the world, that Great Britain can, in no instance whatsoever, be brought to a sense of rational and equitable policy, but by coercion and force of arms!

I wish you to recollect, with what powers of concession, relatively to commerce, as well as to legislation, his majesty's commissioners to the united colonies have sailed from England within this week. Whether these powers are sufficient for their purposes, it is not now my business to examine. But we all know, that our resolutions in favour of Ireland are trifling and insignificant, when compared with the concessions to the Americans. At such a juncture, I would implore every man who retains the least spark of regard to the yet remaining honour and security of this country, not

not to compel others to an imitation of their conduct; or by passion and violence, to force them to seek in the territories of the separation, that freedom, and those advantages, which they are not to look for whilst they remain under the wings of their ancient government.

After all, what are the matters we dispute with so much warmth? Do we in these resolutions *bestow* any thing upon Ireland? Not a shilling. We only consent to *leave* to them, in two or three instances, the use of the natural faculties which God has given to them, and to all mankind. Is Ireland united to the crown of Great Britain for no other purpose, than that we should counteract the bounty of Providence in her favour? And in proportion as that bounty has been liberal, that we are to regard it as an evil, which is to be met with in every sort of corrective? To say that Ireland interferes with us, and therefore must be checked, is, in my opinion, a very mistaken, and a very dangerous principle. I must beg leave to repeat, what I took the liberty of suggesting to you in my last letter, that Ireland is a country, in the same climate, and of the same natural qualities and productions, with this; and has consequently no other means of growing wealthy in herself, or, in other words, of being useful to us, but by doing the very same things which we do, for the same purposes. I hope that in Great Britain

we shall always pursue, without exception, *every* means of prosperity; and of course, that Ireland *will* interfere with us in something or other; for either, in order to *limit* her, we *must restrain* ourselves, or we must fall into that shocking conclusion, that we are to keep our yet remaining dependency, under a general and indiscriminate restraint, for the mere purpose of oppression. Indeed, Sir, England and Ireland may flourish together. The world is large enough for us both. Let it be our care not to make ourselves too little for it.

I know it is said, that the people of Ireland do not pay the same taxes, and therefore ought not in equity to enjoy the same benefits with this. I had hopes, that the unhappy phantom of a compulsory *equal taxation* had haunted us long enough. I do assure you, that until it is entirely banished from our imaginations, (where alone it has, or can have any existence) we shall never cease to do ourselves the most substantial injuries. To that argument of equal taxation, I can only say,—that Ireland pays as many taxes as those who are the best judges of her powers, are of opinion she can bear. To bear more, she must have more ability; and in the order of nature, the advantage must *precede* the charge. This disposition of things, being the law of God, neither you nor I *can* alter it. So that if you will have more help from Ireland,

Ireland, you must *previously* supply her with more means. I believe it will be found, that if men are suffered freely to cultivate their natural advantages, a virtual equality of contribution will come in its own time, and will flow by an easy descent through its own proper and natural channels. An attempt to disturb that course, and to force nature, will only bring on universal discontent, distress and confusion.

You tell me, Sir, that you prefer an union with Ireland to the little regulations which are proposed in parliament. This union is a great question of state, to which, when it comes properly before me in my parliamentary capacity, I shall give an honest and unprejudiced consideration. However, it is a settled rule with me, to make the most of my *actual situation*; and not to refuse to do a proper thing, because there is something else more proper, which I am not able to do. This union is a business of difficulty; and on the principles of your letter, a business impracticable. Until it can be matured into a feasible and desirable scheme, I wish to have as close an union of interest and affection with Ireland, as I can have; and that, I am sure, is a far better thing than any nominal union of government.

France, and indeed most extensive empires, which by various designs and fortunes have grown into one great mass, contain many provinces that

are very different from each other in privileges and modes of government; and they raise their supplies in different ways; in different proportions; and under different authorities; yet none of them are for this reason curtailed of their natural rights; but they carry on trade and manufactures with perfect equality. In some way or other the true balance is found; and all of them are properly poised and harmonized. How much have you lost by the participation of Scotland in all your commerce? The external trade of England has more than doubled since that period; and I believe your internal (which is the most advantageous) has been augmented at least fourfold. Such virtue there is in liberality of sentiment, that you have grown richer even by the partnership of poverty.

If you think, that this participation was a loss, commercially considered, but that it has been compensated by the share which Scotland has taken in defraying the publick charge—I believe you have not very carefully looked at the publick accounts. Ireland, Sir, pays a great deal more than Scotland; and is perhaps as much, and as effectually united to England as Scotland is. But if Scotland, instead of paying little, had paid nothing at all, we should be gainers, not losers by acquiring the hearty co-operation of an active intelligent people, towards the increase of the common

common stock; instead of our being employed in watching and counteracting them, and their being employed in watching and counteracting us, with the peevish and churlish jealousy of rivals and enemies on both sides.

I am sure, Sir, that the commercial experience of the merchants of Bristol, will soon disabuse them of the prejudice, that they can trade no longer, if countries more lightly taxed are permitted to deal in the same commodities at the same markets. You know, that in fact, you trade very largely where you are met by the goods of all nations. You even pay high duties, on the import of your goods, and afterwards undersell nations less taxed, at their own markets; and where goods of the same kind are not charged at all. If it were otherwise, you could trade very little. You know, that the price of all sorts of manufacture is not a great deal inhanced (except to the domestick consumer) by any taxes paid in this country. This I might very easily prove.

The same consideration will relieve you from the apprehension you express, with relation to sugars, and the difference of the duties paid here and in Ireland. Those duties affect the interiour consumer only; and for obvious reasons, relative to the interest of revenue itself, they must be proportioned to his ability of payments; but in all cases in which sugar can be an *object of commerce*, and

and therefore (in this view) of rivalship, you are sensible, that you are at least on a par with Ireland. As to your apprehensions concerning the more advantageous situation of Ireland, for some branches of commerce, (for it is so but for some) I trust you will not find them more serious. Milford Haven, which is at your door, may serve to shew you, that the mere advantage of ports is not the thing which shifts the seat of commerce from one part of the world to the other. If I thought you inclined to take up this matter on local considerations, I should state to you, that I do not know any part of the kingdom so well situated for an advantageous commerce with Ireland as Bristol; and that none would be so likely to profit of its prosperity as our city. But your profit and theirs must concur. Beggary and bankruptcy are not the circumstances which invite to an intercourse with that or with any country; and I believe it will be found invariably true, that the superfluities of a rich nation furnish a better object of trade than the necessities of a poor one. It is the interest of the commercial world that wealth should be found every where.

The true ground of fear, in my opinion, is this; that Ireland, from the vitious system of its internal polity, will be a long time before it can derive any benefit from the liberty now granted, or from any thing else. But as I do not vote advantages, in hopes

hopes that they may not be enjoyed, I will not lay any stress upon this consideration. I rather wish, that the parliament of Ireland may, in its own wisdom, remove these impediments, and put their country in a condition to avail itself of its natural advantages. If they do not, the fault is with them, and not with us.

I have written this long letter, in order to give all possible satisfaction to my constituents, with regard to the part I have taken in this affair. It gave me inexpressible concern to find, that my conduct had been a cause of uneasiness to any of them. Next to my honour and conscience, I have nothing so near and dear to me as their approbation. However, I had much rather run the risk of displeasing than of injuring them;—if I am driven to make such an option. You obligingly lament, that you are not to have me for your advocate; but if I had been capable of acting as an advocate in opposition to a plan so perfectly consonant to my known principles, and to the opinions I had publickly declared on an hundred occasions, I should only disgrace myself, without supporting with the smallest degree of credit or effect, the cause you wished me to undertake. I should have lost the only thing which can make such abilities as mine of any use to the world now or hereafter; I mean that authority which is derived from an opinion, that a member speaks the language

language of truth and sincerity; and that he is not ready to take up or lay down a great political system for the convenience of the hour; that he is in parliament to support his opinion of the publick good, and does not form his opinion in order to get into parliament, or to continue in it. It is in a great measure for your sake, that I wish to preserve this character. Without it, I am sure, I should be ill able to discharge, by any service, the smallest part of that debt of gratitude and affection which I owe you for the great and honourable trust you have reposed in me. I am, with the highest regard and esteem,

SIR,

Your most obedient,

And humble servant,

E. B.

Beaconsfield,
23*d April*, 1778.

COPY OF A LETTER

TO

MESS. ******* ****** AND CO. BRISTOL.

GENTLEMEN,

IT gives me the most sensible concern to find, that my vote on the resolutions relative to the trade of Ireland, has not been fortunate enough to meet with your approbation. I have explained at large the grounds of my conduct on that occasion in my letters to the Merchants Hall: but my very sincere regard and esteem for you will not permit me to let the matter pass without an explanation, which is particular to yourselves, and which, I hope, will prove satisfactory to you.

You tell me, that the conduct of your late member is not much wondered at; but you seem to be at a loss to account for mine; and you lament, that I have taken so decided a part *against* my constituents.

This is rather an heavy imputation. Does it then really appear to you, that the propositions to which

which you refer, are, on the face of them, so manifestly wrong, and so certainly injurious to the trade and manufactures of Great Britain, and particularly to yours, that no man could think of proposing, or supporting them, except from resentment to you, or from some other oblique motive? If you suppose your late member, or if you suppose me, to act upon other reasons than we choose to avow, to what do you attribute the conduct of the *other* members, who in the beginning almost unanimously adopted those resolutions? To what do you attribute the strong part taken by the ministers, and along with the ministers, by several of their most declared opponents? This does not indicate a ministerial job; a party design; or a provincial or local purpose. It is therefore not so absolutely clear, that the measure is wrong, or likely to be injurious to the true interests of any place, or any person.

The reason, gentlemen, for taking this step, at this time, is but too obvious and too urgent. I cannot imagine, that you forget the great war, which has been carried on with so little success (and, as I thought, with so little policy) in America; or that you are not aware of the other great wars which are impending. Ireland has been called upon to repel the attacks of enemies of no small power, brought upon her by councils in which she has had no share. The very purpose and declared

object

object of that original war, which has brought other wars, and other enemies on Ireland, was not very flattering to her dignity, her interest, or to the very principle of her liberty. Yet she submitted patiently to the evils she suffered from an attempt to subdue to *your* obedience, countries whose very commerce was not open to her. America was to be conquered, in order that Ireland should *not* trade thither; whilst the miserable trade which she is permitted to carry on to other places has been torn to pieces in the struggle. In this situation, are we neither to suffer her to have any real interest in our quarrel, or to be flattered with the hope of any future means of bearing the burdens which she is to incur in defending herself against enemies which we have brought upon her?

I cannot set my face against such arguments. Is it quite fair to suppose, that I have no other motive for yielding to them, but a desire of acting *against* my constituents? It is for *you*, and for *your* interest, as a dear, cherished, and respected part of a valuable whole, that I have taken my share in this question. You do not, you cannot suffer by it. If honesty be true policy with regard to the transient interest of individuals, it is much more certainly so with regard to the permanent interests of communities. I know, that it is but too natural for us to see our own *certain* ruin in the *possible*

possible prosperity of other people. It is hard to persuade us, that every thing which is *got* by another is not *taken* from ourselves. But it is fit that we should get the better of these suggestions, which come from what is not the best and soundest part of our nature, and that we should form to ourselves a way of thinking, more rational, more just, and more religious. Trade is not a limited thing; as if the objects of mutual demand and consumption, could not stretch beyond the bounds of our jealousies. God has given the earth to the children of men, and he has undoubtedly, in giving it to them, given them what is abundantly sufficient for all their exigencies; not a scanty, but a most liberal provision for them all. The author of our nature has written it strongly in that nature, and has promulgated the same law in his written word, that man shall eat his bread by his labour; and I am persuaded, that no man, and no combination of men, for their own ideas of their particular profit, can, without great impiety, undertake to say, that he *shall not* do so; that they have no sort of right, either to prevent the labour, or to withhold the bread. Ireland having received no *compensation*, directly or indirectly, for any restraints on their trade, ought not, in justice or common honesty, to be made subject to such restraints. I do not mean to impeach the right of the parliament of Great Britain to make

laws

laws for the trade of Ireland. I only speak of what laws it is right for parliament to make.

It is nothing to an oppressed people, to say that in part they are protected at our charge. The military force which shall be kept up in order to cramp the natural faculties of a people, and to prevent their arrival to their utmost prosperity, is the instrument of their servitude, not the means of their protection. To protect men, is to forward, and not to restrain their improvement. Else, what is it more, than to avow to them, and to the world, that you guard them from others, only to make them a prey to yourself? This fundamental nature of protection does not belong to free, but to all governments; and is as valid in Turkey as in Great Britain. No government ought to own that it exists for the purpose of checking the prosperity of its people, or that there is such a principle involved in its policy.

Under the impression of these sentiments, (and not as wanting every attention to my constituents, which affection and gratitude could inspire), I voted for these bills which give you so much trouble. I voted for them, not as doing complete justice to Ireland, but as being something less unjust than the general prohibition which has hitherto prevailed. I hear some discourse, as if in one or two paltry duties on materials, Ireland had a preference; and that those who set themselves against this act

of scanty justice, assert that they are only contending for an *equality*. What equality? Do they forget, that the whole woollen manufacture of Ireland, the most extensive and profitable of any, and the natural staple of that kingdom, has been in a manner so destroyed by restrictive laws of ours, and (at our persuasion, and on our promises) by restrictive laws of *their own*, that in a few years, it is probable, they will not be able to wear a coat of their own fabrick? Is this equality? Do gentlemen forget, that the understood faith upon which they were persuaded to such an unnatural act, has not been kept; but a linen-manufacture has been set up, and highly encouraged, against them? Is this equality? Do they forget the state of the trade of Ireland in beer, so great an article of consumption, and which now stands in so mischievous a position with regard to their revenue, their manufacture, and their agriculture? Do they find any equality in all this? Yet if the least step is taken towards doing them common justice in the slightest article for the most limited markets, a cry is raised, as if we were going to be ruined by partiality to Ireland.

Gentlemen, I know that the deficiency in these arguments is made up (not by you, but by others) by the usual resource on such occasions, the confidence in military force, and superiour power. But that ground of confidence, which at no time was perfectly

perfectly just, or the avowal of it tolerably decent, is at this time very unseasonable. Late experience has shewn, that it cannot be altogether relied upon; and many, if not all of our present difficulties, have arisen from putting our trust in what may very possibly fail; and if it should fail, leaves those who are hurt by such a reliance, without pity. Whereas honesty and justice, reason and equity, go a very great way in securing prosperity to those who use them; and in case of failure, secure the best retreat, and the most honourable consolations.

It is very unfortunate that we should consider those as rivals, whom we ought to regard as fellow-labourers in a common cause. Ireland has never made a single step in its progress towards prosperity, by which you have not had a share, and perhaps the greatest share, in the benefit. That progress has been chiefly owing to her own natural advantages, and her own efforts, which, after a long time, and by slow degrees, have prevailed in some measure over the mischievous systems which have been adopted. Far enough she is still from having arrived even at an ordinary state of perfection; and if our jealousies were to be converted into politicks, as systematically as some would have them, the trade of Ireland would vanish out of the system of commerce. But believe me, if Ireland is beneficial to you, it is so not from the parts in which it is restrained, but from those in which it

is left free, though not left unrivalled. The greater its freedom, the greater must be your advantage. If you should lose in one way, you will gain in twenty.

Whilst I remain under this unalterable and powerful conviction, you will not wonder at the *decided* part I take. It is my custom so to do, when I see my way clearly before me; and when I know, that I am not misled by any passion, or any personal interest; which in this case, I am very sure, I am not. I find that disagreeable things are circulated among my Constituents; and I wish my sentiments, which form my justification, may be equally general with the circulation against me. I have the honour to be, with the greatest regard and esteem,

GENTLEMEN,

Your most obedient

And humble servant,

Westminster, E. B.
May 2, 1778.

I send the bills.

MR. BURKE'S SPEECH,

ON PRESENTING TO

THE HOUSE OF COMMONS,

(ON THE 11th FEBRUARY, 1780)

A PLAN

FOR THE BETTER SECURITY OF

THE INDEPENDENCE OF PARLIAMENT,

AND

THE ŒCONOMICAL REFORMATION

OF

THE CIVIL

AND

OTHER ESTABLISHMENTS.

SPEECH, &c.

MR. SPEAKER,

I RISE, in acquittal of my engagement to the house, in obedience to the strong and just requisition of my constituents, and, I am persuaded, in conformity to the unanimous wishes of the whole nation, to submit to the wisdom of parliament, "A Plan of reform in the constitution of several parts of the publick œconomy."

I have endeavoured, that this plan should include in its execution, a considerable reduction of improper expence: that, it should effect a conversion of unprofitable titles into a productive estate; that, it should lead to, and indeed almost compel, a provident administration of such sums of publick money as must remain under discretionary trusts; that, it should render the incurring debts on the civil establishment (which must ultimately affect national strength and national credit) so very difficult, as to become next to impracticable.

But what, I confess, was uppermost with me, what I bent the whole force of my mind to, was the reduction of that corrupt influence, which is

itself the perennial spring of all prodigality, and of all disorder; which loads us, more than millions of debt; which takes away vigour from our arms, wisdom from our councils, and every shadow of authority and credit from the most venerable parts of our constitution.

Sir, I assure you, very solemnly, and with a very clear conscience, that nothing in the world has led me to such an undertaking, but my zeal for the honour of this house, and the settled, habitual, systematick affection I bear to the cause, and to the principles of government.

I enter perfectly into the nature and consequences of my attempt; and I advance to it with a tremour that shakes me to the inmost fibre of my frame. I feel that I engage in a business, in itself most ungracious, totally wide of the course of prudent conduct; and I really think, the most completely adverse than can be imagined to the natural turn and temper of my own mind. I know, that all parsimony is of a quality approaching to unkindness; and that (on some person or other) every reform must operate as a sort of punishment. Indeed the whole class of the severe and restrictive virtues, are at a market almost too high for humanity. What is worse, there are very few of those virtues which are not capable of being imitated, and even outdone in many of their most striking effects, by the worst of vices. Malignity and envy will

will carve much more deeply, and finish much more sharply, in the work of retrenchment, than frugality and providence. I do not therefore, wonder, that gentlemen have kept away from such a task, as well from good-nature as from prudence. Private feeling might, indeed, be overborne by legislative reason; and a man of a long-sighted and a strong nerved humanity, might bring himself, not so much to consider from whom he takes a superfluous enjoyment, as for whom in the end he may preserve the absolute necessaries of life.

But it is much more easy to reconcile this measure to humanity, than to bring it to any agreement with prudence. I do not mean that little, selfish, pitiful, bastard thing, which sometimes goes by the name of a family in which it is not legitimate, and to which it is a disgrace;—I mean even that publick and enlarged prudence, which, apprehensive of being disabled from rendering acceptible services to the world, with-holds itself from those that are invidious. Gentlemen who are, with me, verging towards the decline of life, and are apt to form their ideas of kings from kings of former times, might dread the anger of a reigning prince;—they who are more provident of the future, or by being young are more interested in it, might tremble at the resentment of the successor; they might see a long, dull, dreary, unvaried visto of despair and exclusion, for half a century,

century, before them. This is no pleasant prospect at the outset of a political journey.

Besides this, Sir, the private enemies to be made in all attempts of this kind are innumerable; and their enmity will be the more bitter, and the more dangerous too, because a sense of dignity will oblige them to conceal the cause of their resentment. Very few men of great families and extensive connections, but will feel the smart of a cutting reform, in some close relation, some bosom friend, some pleasant acquaintance, some dear protected dependant. Emolument is taken from some; patronage from others; objects of pursuit from all. Men, forced into an involuntary independence, will abhor the authors of a blessing which in their eyes has so very near a resemblance to a curse. When officers are removed, and the offices remain, you may set the gratitude of some against the anger of others; you may oppose the friends you oblige against the enemies you provoke. But services of the present sort create no attachments. The individual good felt in a publick benefit, is comparatively so small, comes round through such an involved labyrinth of intricate and tedious revolutions; whilst a present personal detriment is so heavy, where it falls, and so instant in its operation, that the cold commendation of a publick advantage never was, and never will be, a match for the quick sensibility of a private loss: and you may

may depend upon it, Sir, that when many people have an interest in railing, sooner or later, they will bring a considerable degree of unpopularity upon any measure. So that, for the present at least, the reformation will operate against the reformers; and revenge (as against them at the least) will produce all the effects of corruption.

This, Sir, is almost always the case, where the plan has complete success. But how stands the matter in the mere attempt? Nothing, you know, is more common, than for men to wish, and call loudly too, for a reformation, who, when it arrives, do by no means like the severity of its aspect. Reformation is one of those pieces which must be put at some distance in order to please. Its greatest favourers love it better in the abstract than in the substance. When any old prejudice of their own, or any interest that they value, is touched, they become scrupulous, they become captious, and every man has his separate exception. Some pluck out the black hairs, some the grey; one point must be given up to one; another point must be yielded to another; nothing is suffered to prevail upon its own principle; the whole is so frittered down, and disjointed, that scarcely a trace of the original scheme remains! Thus, between the resistance of power, and the unsystematical process of popularity, the undertaker

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and the undertaking are both exposed, and the poor reformer is hissed off the stage both by friends and foes.

Observe, Sir, that the apology for my undertaking (an apology, which, though long, is no longer than necessary) is not grounded on my want of the fullest sense of the difficult and invidious nature of the task I undertake. I risk odium if I succeed, and contempt if I fail. My excuse must rest in mine and your conviction of the absolute, urgent *necessity* there is, that something of the kind should be done. If there is any sacrifice to be made, either of estimation or of fortune, the smallest is the best. Commanders in chief are not to be put upon the forlorn hope. But, indeed it is necessary that the attempt should be made. It is necessary from our own political circumstances; it is necessary from the operations of the enemy; it is necessary from the demands of the people whose desires, when they do not militate with the stable and eternal rules of justice and reason (rules which are above us and above them) ought to be as a law to a house of commons.

As to our circumstances, I do not mean to aggravate the difficulties of them, by the strength of any colouring whatsoever. On the contrary, I observe, and observe with pleasure, that our affairs rather wear a more promising aspect than they did

did on the opening of this session. We have had some leading successes. But those who rate them at the highest (higher a great deal indeed than I dare to do) are of opinion, that, upon the ground of such advantages, we cannot at this time hope to make any treaty of peace, which would not be ruinous and completely disgraceful. In such an anxious state of things, if dawnings of success serve to animate our diligence, they are good; if they tend to increase our presumption, they are worse than defeats. The state of our affairs shall then be as promising as any one may choose to conceive it: it is however, but promising. We must recollect, that with but half of our natural strength, we are at war against confederated powers, who have singly threatened us with ruin; we must recollect, that whilst we are left naked on one side, our other flank is uncovered by any alliance; that whilst we are weighing and balancing our successes against our losses, we are accumulating debt to the amount of at least fourteen millions in the year. That loss is certain.

I have no wish to deny, that our successes are as brilliant as any one chooses to make them; our resources too may, for me, be as unfathomable as they are represented. Indeed they are just whatever the people possess, and will submit to pay. Taxing is an easy business. Any projector can contrive new impositions; any bungler can add to the

the old. But is it altogether wise to have no other bounds to your impositions, than the patience of those who are to bear them?

All I claim upon the subject of your resources is this, that they are not likely to be increased by wasting them.—I think I shall be permitted to assume, that a system of frugality will not lessen your riches, whatever they may be;—I believe it will not be hotly disputed, that those resources which lie heavy on the subject, ought not to be objects of preference; that they ought not to be the *very first choice*, to an honest representative of the people.

This is all, Sir, that I shall say upon our circumstances and our resources: I mean to say a little more on the operations of the enemy, because this matter seems to me very natural in our present deliberation. When I look to the other side of the water, I cannot help recollecting what Pyrrhus said on reconnoitring the Roman camp, "These "barbarians have nothing barbarous in their dis- "cipline." When I look, as I have pretty carefully looked, into the proceedings of the French king, I am sorry to say it, I see nothing of the character and genius of arbitrary finance; none of the bold frauds of bankrupt power; none of the wild struggles, and plunges, of despotism in distress;—no lopping off from the capital of debt;—no suspension of interest;—no robbery under the

the name of loan;—no raising the value, no debasing the substance of the coin. I see neither Louis the Fourteenth nor Louis the Fifteenth. On the contrary, I behold with astonishment, rising before me, by the very hands of arbitrary power, and in the very midst of war and confusion, a regular, methodical system of publick credit: I behold a fabrick laid on the natural and solid foundations of trust and confidence among men; and rising, by fair gradations, order over order, according to the just rules of symmetry and art. What a reverse of things! Principle, method, regularity, œconomy, frugality, justice to individuals, and care of the people, are the resources with which France makes war upon Great Britain. God avert the omen! But if we should see any genius in war and politicks arise in France to second what is done in the bureau!—I turn my eyes from the consequences.

The noble lord in the blue riband, last year, treated all this with contempt. He never could conceive it possible that the French minister of finance could go through that year with a loan of but seventeen hundred thousand pounds; and that he should be able to fund that loan without any tax. The second year, however, opens the very same scene. A small loan, a loan of no more than two millions five hundred thousand

is to carry our enemies through the service of t

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year also. No tax is raised to fund that debt; no tax is raised for the current services. I am credibly informed that there is no anticipation whatsoever. * Compensations are correctly made. Old debts continue to be sunk as in the time of profound peace. Even payments which their treasury had been authorized to suspend during the time of war, are not suspended.

A general reform, executed through every *department of the revenue*, creates an annual income of more than half a million, whilst it facilitates and simplifies all the functions of administration. The king's *household*—at the remotest avenues to which all reformation has been hitherto stopped, that household, which has been the strong hold of prodigality, the virgin fortress which was never before attacked—has been not only not defended, but it has, even in the forms, been surrendered by the king to the œconomy of his minister. No capitulation; no reserve. Œconomy has entered in triumph into the publick splendour of the monarch, into his private amusements, into the appointments of his nearest and highest relations. Œconomy and public spirit have made a beneficent and an honest spoil; they have plundered, from

* This term comprehends various retributions made to persons whose offices are taken away, or who, in any other way, suffer by the new arrangements that are made.

from extravagance and luxury, for the use of substantial service, a revenue of near four hundred thousand pounds. The reform of the finances, joined to this reform of the court, gives to the publick nine hundred thousand pounds a year and upwards.

The minister who does these things is a great man—But the king who desires that they should be done, is a far greater. We must do justice to our enemies—These are the acts of a patriot king. I am not in dread of the vast armies of France: I am not in dread of the gallant spirit of its brave and numerous nobility: I am not alarmed even at the great navy which has been so miraculously created. All these things Louis the Fourteenth had before. With all these things, the French monarchy has more than once fallen prostrate at the feet of the publick faith of Great Britain. It was the want of publick credit which disabled France from recovering after her defeats, or recovering even from her victories and triumphs. It was a prodigal court, it was an ill-ordered revenue, that sapped the foundations of all her greatness. Credit cannot exist under the arm of necessity. Necessity strikes at credit, I allow, with a heavier and quicker blow under an arbitrary monarchy, than under a limited and balanced government: but still necessity and credit are natural enemies, and cannot be long reconciled in

any situation. From necessity and corruption, a free state may lose the spirit of that complex constitution which is the foundation of confidence. On the other hand, I am far from being sure, that a monarchy, when once it is properly regulated, may not for a long time furnish a foundation for credit upon the solidity of its maxims, though it affords no ground of trust in its institutions. I am afraid I see in England, and in France, something like a beginning of both these things. I wish I may be found in a mistake.

This very short, and very imperfect state of what is now going on in France (the last circumstances of which I received in about eight days after the registry of the edict*) I do not, Sir, lay before you for any invidious purpose. It is in order to excite in us the spirit of a noble emulation.—Let the nations make war upon each other (since we must make war) not with a low and vulgar malignity, but by a competition of virtues. This is the only way by which both parties can gain by war. The French have imitated us; let us, through them, imitate ourselves; ourselves in our better and happier days. If publick frugality, under whatever men, or in whatever mode of government, is national strength, it is a strength which our enemies are in possession of before us.

Sir,

* Edict, registered 29th January, 1780.

Sir, I am well aware, that the state and the result of the French œconomy which I have laid before you, are even now lightly treated by some, who ought never to speak but from information. Pains have not been spared to represent them as impositions on the publick. Let me tell you, Sir, that the creation of a navy, and a two years war without taxing, are a very singular species of imposture. But be it so. For what end does Neckar carry on this delusion? Is it to lower the estimation of the crown he serves, and to render his own administration contemptible? No! No! He is conscious, that the sense of mankind is so clear and decided in favour of œconomy, and of the weight and value of it resources, that he turns himself to every species of fraud and artifice, to obtain the mere reputation of it. Men do not affect a conduct that tends to their discredit. Let us, then, get the better of Monsieur Neckar in his own way—Let us do in reality what he does only in pretence.—Let us turn his French tinsel into English gold. Is then the mere opinion and appearance of frugality and good management of such use to France, and is the substance to be so mischievous to England? Is the very constitution of nature so altered by a sea of twenty miles, that œconomy should give power on the continent, and that profusion should give it here! For God's sake

let not this be the only fashion of France which we refuse to copy.

To the last kind of necessity, the desires of the people, I have but a very few words to say. The ministers seem to contest this point; and affect to doubt, whether the people do really desire a plan of œconomy in the civil government. Sir, this is too ridiculous. It is impossible that they should not desire it. It is impossible that a prodigality which draws its resources from their indigence, should be pleasing to them. Little factions of pensioners, and their dependants, may talk another language. But the voice of nature is against them; and it will be heard. The people of England will not, they cannot take it kindly, that representatives should refuse to their constituents, what an absolute sovereign voluntarily offers to his subjects. The expression of the petitions is, that "*before any* "*new burthens are laid upon this country, effec-* "*tual measures be taken by this house, to inquire* "*into, and correct, the gross abuses in the expen-* "*diture of publick money.*"

This has been treated by the noble lord in the blue riband, as a wild factious language. It happens, however, that the people in their address to us, use almost word for word the same terms as the king of France uses in addressing himself to his people; and it differs only, as it falls short of the

the French king's idea of what is due to his subjects. "To convince," says he, "our faithful "subjects of *the desire we entertain not to recur* "*to new impositions*, until we have first exhausted "all the resources which order and œconomy can "possibly supply," &c. &c.

These desires of the people of England, which come far short of the voluntary concessions of the king of France, are moderate indeed. They only contend that we should interweave some œconomy with the taxes with which we have chosen to begin the war. They request, not that you should rely upon œconomy exclusively, but that you should give it rank and precedence, in the order of the ways and means of this single session.

But if it were possible, that the desires of our constituents, desires which are at once so natural, and so very much tempered and subdued, should have no weight with a house of commons, which has its eye elsewhere; I would turn my eyes to the very quarter to which theirs are directed. I would reason this matter with the house, on the mere policy of the question; and I would undertake to prove, that an early dereliction of abuse, is the direct interest of government; of government taken abstractedly from its duties, and considered merely as a system intending its own conservation.

If there is any one eminent criterion, which

above all the rest, distinguishes a wise government from an administration weak and improvident, it is this:—"well to know the best time and manner of yielding, what it is impossible to keep."—There have been, Sir, and there are, many who choose to chicane with their situation, rather than be instructed by it. Those gentlemen argue against every desire of reformation, upon the principles of a criminal prosecution. It is enough for them to justify their adherence to a pernicious system, that it is not of their contrivance; that it is an inheritance of absurdity, derived to them from their ancestors; that they can make out a long and unbroken pedigree of mismanagers that have gone before them. They are proud of the antiquity of their house; and they defend their errours, as if they were defending their inheritance: afraid of derogating from their nobility; and carefully avoiding a sort of blot in their scutcheon, which they think would degrade them for ever.

It was thus that the unfortunate Charles the First defended himself on the practice of the Stuart who went before him, and of all the Tudors; his partisans might have gone to the Plantagenets.—They might have found bad examples enough, both abroad and at home, that could have shewn an ancient and illustrious descent. But there is a time, when men will not suffer bad things because their ancestors have suffered worse. There is a

time, when the hoary head of inveterate abuse will neither draw reverence, nor obtain protection. If the noble lord in the blue riband pleads "*not guilty*," to the charges brought against the present system of publick œconomy, it is not possible to give a fair verdict by which he will not stand acquitted. But pleading is not our present business. His plea or his traverse may be allowed as an answer to a charge, when a charge is made. But if he puts himself in the way to obstruct reformation, then the faults of his office instantly become his own. Instead of a publick officer in an abusive department, whose province is an object to be regulated, he becomes a criminal who is to be punished... I do most seriously put it to administration, to consider the wisdom of a timely reform. Early reformations are amicable arrangements with a friend in power; late reformations are terms imposed upon a conquered enemy: early reformations are made in cool blood; late reformations are made under a state of inflammation. In that state of things the people behold in government nothing that is respectable. They see the abuse, and they will see nothing else—They fall into the temper of a furious populace provoked at the disorder of a house of ill fame; they never attempt to correct or regulate; they go to work by the shortest way—They abate the nuisance, they pull down the house.

This is my opinion with regard to the true interest of government. But as it is the interest of government that reformation should be early, it is the interest of the people that it should be temperate. It is their interest, because a temperate reform is permanent; and because it has a principle of growth. Whenever we improve, it is right to leave room for a further improvement. It is right to consider, to look about us, to examine the effect of what we have done.—Then we can proceed with confidence, because we can proceed with intelligence. Whereas in hot reformations, in what men, more zealous than considerate, call *making clear work*, the whole is generally so crude, so harsh, so indigested; mixed with so much imprudence, and so much injustice; so contrary to the whole course of human nature, and human institutions, that the very people who are most eager for it, are among the first to grow disgusted at what they have done. Then some part of the abdicated grievance is recalled from its exile in order to become a corrective of the correction. Then the abuse assumes all the credit and popularity of a reform. The very idea of purity and disinterestedness in politicks falls into disrepute, and is considered as a vision of hot and inexperienced men; and thus disorders become incurable, not by the virulence of their own quality, but by the unapt and violent nature of the remedies. A

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great part therefore, of my idea of reform, is meant to operate gradually; some benefits will come at a nearer, some at a more remote period. We must no more make haste to be rich by parsimony, than by intemperate acquisition.

In my opinion, it is our duty when we have the desires of the people before us, to pursue them, not in the spirit of literal obedience, which may militate with their very principle, much less to treat them with a peevish and contentious litigation, as if we were adverse parties in a suit. It would, Sir, be most dishonourable for a faithful representative of the commons, to take advantage of any inartificial expression of the people's wishes, in order to frustrate their attainment of what they have an undoubted right to expect. We are under infinite obligations to our constituents, who have raised us to so distinguished a trust, and have imparted such a degree of sanctity to common characters. We ought to walk before them with purity, plainness, and integrity of heart; with filial love, and not with slavish fear, which is always a low and tricking thing. For my own part, in what I have meditated upon that subject, I cannot indeed take upon me to say I have the honour *to follow* the sense of the people. The truth is, *I met it on the way*, while I was pursuing their interest according to my own ideas. I am happy beyond expression to find that my intentions have

so far coincided with theirs, that I have not had cause to be in the least scrupulous to sign their petition, conceiving it to express my own opinions, as nearly as general terms can express the object of particular arrangements.

I am therefore satisfied to act as a fair mediator between government and the people, endeavouring to form a plan which should have both an early and a temperate operation. I mean, that it should be substantial; that it should be systematick. That it should rather strike at the first cause of prodigality and corrupt influence, than attempt to follow them in all their effects.

It was to fulfil the first of these objects (the proposal of something substantial) that I found myself obliged at the outset, to reject a plan proposed by an honourable and * attentive member of parliament, with very good intentions on his part, about a year or two ago. Sir, the plan I speak of was the tax of 25 *per cent.* moved upon places and pensions during the continuance of the American war.—Nothing, Sir, could have met my ideas more than such a tax if it was considered as a practical satire on that war, and as a penalty upon those who led us into it; but in any other view it appeared to me very liable to objections. I considered the scheme as neither substantial, nor permanent, nor systematical, nor

* Thomas Gilbert, Esq. member for Litchfield.

nor likely to be a corrective of evil influence. I have always thought employments a very proper subject of regulation, but a very ill-chosen subject for a tax. An equal tax upon property is reasonable; because the object is of the same quality throughout. The species is the same, it differs only in its quantity: but a tax upon salaries is totally of a different nature; there can be no equality, and consequently no justice, in taxing them by the hundred in the gross.

We have, Sir, on our establishment, several offices which perform real service—We have also places that provide large rewards for no service at all. We have stations which are made for the publick decorum; made for preserving the grace and majesty of a great people—We have likewise expensive formalities, which tend rather to the disgrace than the ornament of the state and the court. This, Sir, is the real condition of our establishments. To fall with the same severity on objects so perfectly dissimilar, is the very reverse of a reformation. I mean a reformation framed, as all serious things ought to be, in number, weight, and measure.—Suppose, for instance, that two men receive a salary of £. 800 a year each.—In the office of one there is nothing at all to be done; in the other, the occupier is oppressed by its duties.—Strike off twenty-five *per cent.* from these two offices, you take from one man £. 200 which in justice

justice he ought to have, and you give in effect to the other £. 600 which he ought not to receive. The publick robs the former, and the latter robs the publick; and this mode of mutual robbery is the only way in which the office and the publick can make up their accounts.

But the balance in settling the account of this double injustice, is much against the state. The result is short. You purchase a saving of two hundred pounds, by a profusion of six. Besides, Sir, whilst you leave a supply of unsecured money behind, wholly at the discretion of ministers, they make up the tax to such places as they wish to favour, or in such new places as they may choose to create. Thus the civil list becomes oppressed with debt; and the publick is obliged to repay, and to repay with an heavy interest, what it has taken by an injudicious tax. Such has been the effect of the taxes hitherto laid on pensions and employments, and it is no encouragement to recur again to the same expedient.

In effect, such a scheme is not calculated to produce, but to prevent, reformation. It holds out a shadow of present gain to a greedy and necessitous publick, to divert their attention from those abuses, which in reality are the great causes of their wants. It is a composition to stay enquiry; it is a fine paid by mismanagement, for the renewal of its lease. What is worse, it is a fine paid by industry

industry and merit, for an indemnity to the idle and the worthless. But I shall say no more upon this topick, because (whatever may be given out to the contrary) I know that the noble lord in the blue riband perfectly agrees with me in these sentiments.

After all that I have said on this subject, I am so sensible, that it is our duty to try every thing which may contribute to the relief of the nation, that I do not attempt wholly to reprobate the idea even of a tax. Whenever, Sir, the incumbrance of useless office (which lies no less a dead weight upon the service of the state, than upon its revenues) shall be removed;—when the remaining offices shall be classed according to the just proportion of their rewards and services, so as to admit the application of an equal rule to their taxation; when the discretionary power over the civil list cash shall be so regulated, that a minister shall no longer have the means of repaying with a private, what is taken by a publick hand—if after all these preliminary regulations, it should be thought that a tax on places is an object worthy of the publick attention, I shall be very ready to lend my hand to a reduction of their emoluments.

Having thus, Sir, not so much absolutely rejected, as postponed, the plan of a taxation of office,—my next business was to find something which might be really substantial and effectual. I

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am quite clear, that if we do not go to the very origin and first ruling cause of grievances, we do nothing. What does it signify to turn abuses out of one door, if we are to let them in at another? What does it signify to promote œconomy upon a measure, and to suffer it to be subverted in the principle? Our ministers are far from being wholly to blame for the present ill order which prevails. Whilst institutions directly repugnant to good management, are suffered to remain, no effectual or lasting reform *can* be introduced.

I therefore thought it necessary, as soon as I conceived thoughts of submitting to you some plan of reform, to take a comprehensive view of the state of this country; to make a sort of survey of its jurisdictions, its estates, and its establishments. Something, in every one of them, seemed to me to stand in the way of all œconomy in their administration, and prevented every possibility of methodizing the system. But being, as I ought to be, doubtful of myself, I was resolved not to proceed in an *arbitrary* manner, in any particular which tended to change the settled state of things, or in any degree to affect the fortune or situation, the interest or the importance, of any individual. By an arbitrary proceeding, I mean one conducted by the private opinions, tastes, or feelings, of the man who attempts to regulate. These private measures are not standards of the exchequer, nor balances

balances of the sanctuary. General principles cannot be debauched or corrupted by interest or caprice; and by those principles I was resolved to work.

Sir, before I proceed further, I will lay these principles fairly before you, that afterwards you may be in a condition to judge whether every object of regulation, as I propose it, comes fairly under its rule. This will exceedingly shorten all discussion between us, if we are perfectly in earnest in establishing a system of good management. I therefore lay down to myself seven fundamental rules; they might indeed be reduced to two or three simple maxims, but they would be too general, and their application to the several heads of the business before us, would not be so distinct and visible. I conceive then,

First, That all jurisdictions which furnish more matter of expence, more temptation to oppression, or more means and instruments of corrupt influence, than advantage to justice or political administration, ought to be abolished.

Secondly, That all publick estates which are more subservient to the purposes of vexing, overawing, and influencing those who hold under them, and to the expence of perception and management, than of benefit to the revenue, ought, upon every principle, both of revenue and of freedom, to be disposed of.

Thirdly,

Thirdly, That all offices which bring more charge than proportional advantage to the state; that all offices which may be engrafted on others, uniting and simplifying their duties, ought in the first case to be taken away; and in the second, to be consolidated.

Fourthly, That all such offices ought to be abolished, as obstruct the prospect of the general superintendent of finance; which destroy his superintendency, which disable him from foreseeing and providing for charges as they may occur; from preventing expence in its origin, checking it in its progress, or securing its application to its proper purposes. A minister, under whom expences can be made without his knowledge, can never say what it is that he can spend, or what it is that he can save.

Fifthly, That it is proper to establish an invariable order in all payments; which will prevent partiality; which will give preference to services, not according to the importunity of the demandant, but the rank and order of their utility or their justice.

Sixthly, That it is right to reduce every establishment, and every part of an establishment (as nearly as possible) to certainty, the life of all order and good management.

Seventhly, That all subordinate treasuries, as the nurseries of mismanagement, and as naturally drawing

drawing to themselves as much money as they can, keeping it as long as they can, and accounting for it as late as they can, ought to be dissolved. They have a tendency to perplex and distract the publick accounts, and to excite a suspicion of government even beyond the extent of their abuse.

Under the authority and with the guidance of those principles, I proceed; wishing that nothing in any establishment may be changed, where I am not able to make a strong, direct, and solid application of those principles, or of some one of them. An œconomical constitution is a necessary basis for an œconomical administration.

First, with regard to the sovereign jurisdictions, I must observe, Sir, that whoever takes a view of this kingdom in a cursory manner, will imagine, that he beholds a solid, compacted, uniform system of monarchy; in which all inferiour jurisdictions are but as rays diverging from one centre. But on examining it more nearly, you find much eccentricity and confusion. It is not a monarchy in strictness. But, as in the Saxon times this country was an heptarchy, it is now a strange sort of *pentarchy*. It is divided into five several distinct principalities, besides the supreme. There is indeed this difference from the Saxon times, that as in the itinerant exhibitions of the stage, for want of a complete company, they are obliged to throw

a variety of parts on their chief performer; so our sovereign condescends himself to act, not only the principal but all the subordinate parts in the play. He condescends to dissipate the royal character, and to trifle with those light subordinate lacquered sceptres in those hands that sustain the ball, representing the world, or which wield the trident that commands the ocean. Cross a brook, and you lose the king of England; but you have some comfort in coming again under his majesty, though "shorn of his beams," and no more than prince of Wales. Go to the north, and you find him dwindled to a duke of Lancaster; turn to the west of that north, and he pops upon you in the humble character of earl of Chester. Travel a few miles on, the earl of Chester disappears; and the king surprises you again as count palatine of Lancaster. If you travel beyond Mount Edgecombe, you find him once more in his incognito, and he is duke of Cornwall. So that, quite fatigued and satiated with this dull variety, you are infinitely refreshed when you return to the sphere of his proper splendour, and behold your amiable sovereign in his true, simple, undisguised, native character of majesty.

In every one of these five principalities, duchies, palatinates, there is a regular establishment of considerable expence, and most domineering influence. As his majesty submits to appear in this state of subordination to himself, his loyal peers and faithful commons

commons attend his royal transformations; and are not so nice as to refuse to nibble at those crumbs of emoluments, which console their pretty metamorphoses. Thus every one of those principalities has the apparatus of a kingdom, for the jurisdiction over a few private estates; and the formality and charge of the exchequer of Great Britain, for collecting the rents of a country 'squire. Cornwall is the best of them; but when you compare the charge with the receipt, you will find that it furnishes no exception to the general rule. The duchy and county palatine of Lancaster do not yield, as I have reason to believe, on an average of twenty years, four thousand pounds a year clear to the crown. As to Wales, and the county palatine of Chester, I have my doubts, whether their productive exchequer yields any returns at all. Yet one may say, that this revenue is more faithfully applied to its purposes than any of the rest; as it exists for the sole purpose of multiplying offices, and extending influence.

An attempt was lately made to improve this branch of local influence, and to transfer it to the fund of general corruption. I have on the seat behind me, the constitution of Mr. John Probert; a knight-errant dubbed by the noble lord in the blue riband, and sent to search for revenues and adventures upon the mountains of Wales. The commission is remarkable; and the event not

less so. The commission sets forth, that "Upon "a report of the *deputy auditor*, (for there is a "deputy auditor) of the principality of Wales, it "appeared, that his majesty's land revenues in the "said principality *are greatly diminished*;"—and "that upon a *report* of the *surveyor general* of his "majesty's land revenues, upon a *memorial* of the "auditor of his majesty's revenues, *within the said* "*principality*, that his mines and forests have "produced very *little profit either to the publick* "*revenue or to individuals*;"—and therefore they appoint Mr. Probert, with a pension of three hundred pounds a year from the said principality, to try whether he can make any thing more of that very *little* which is stated to be so *greatly* diminished. "*A beggarly account of empty boxes.*" And yet, Sir, you will remark—that this diminution from littleness (which serves only to prove the infinite divisibility of matter) was not for want of the tender, and officious care (as we see) of surveyors general, and surveyors particular; of auditors and deputy auditors; not for want of memorials, and remonstrances, and reports, and commissions, and constitutions, and inquisitions, and pensions.

Probert, thus armed, and accoutred—and paid, proceeded on his adventure; but he was no sooner arrived on the confines of Wales, than all Wales was in arms to meet him. That nation is brave, and full of spirit. Since the invasion of king Edward,

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and the massacre of the bards, there never was such a tumult, and alarm, and uproar, through the region of *Prestatyn*. *Snowden* shook to its base; *Cader Idris* was loosened from its foundations. The fury of litigious war blew her horn on the mountains. The rocks poured down their goat-herds, and the deep caverns vomited out their miners. Every thing above ground, and every thing under ground, was in arms.

In short, Sir, to alight from my Welsh Pegasus, and to come to level ground; the *Preux Chevalier* Probert went to look for revenues like his masters upon other occasions; and like his masters, he found rebellion. But we were grown cautious by experience. A civil war of paper might end in a more serious war; for now remonstrance met remonstrance, and memorial was opposed to memorial. The wise Britons thought it more reasonable that the poor wasted decrepid revenue of the principality, should die a natural than a violent death. In truth, Sir, the attempt was no less an affront upon the understanding of that respectable people, than it was an attack on their property. They chose rather that their ancient moss-grown castles should moulder into decay, under the silent touches of time, and the slow formality of an oblivious and drowsy exchequer, than that they should be battered down all at once, by the lively efforts of a pensioned engineer. As it is the fortune

of the noble lord, to whom the auspices of this campaign belonged, frequently to provoke resistance, so it is his rule and nature to yield to that resistance *in all cases whatsoever*. He was true to himself on this occasion. He submitted with spirit to the spirited remonstrances of the Welsh. Mr. Probert gave up this adventure, and keeps his pension—and so ends " the famous history of the " revenue adventures of the bold baron North, and " the good knight Probert, upon the mountains of " Venodotia."

In such a state is the exchequer of Wales at present, that upon the report of the treasury itself, its *little* revenue is *greatly* diminished; and we see by the whole of this strange transaction, that an attempt to improve it produces resistance; the resistance produces submission; and the whole ends in pe·sion. *

It is nearly the same with the revenues of the duchy of Lancaster. To do nothing with them is extinction; to improve them is oppression. Indeed, the whole of the estates which support these minor principalities, is made up, not of revenues and

* Here Lord North shook his head, and told those who sat near him, that Mr. Probert's pension was to depend on his success. It may be so. Mr. Probert's pension was, however, no essential part of the question; nor did Mr. B. care whether he still possessed it or not. His point was, to shew the ridicule of attempting an improvement of the Welsh revenue under its present establishment.

and rents, and profitable fines, but of claims, of pretensions, of vexations, of litigations. They are exchequers of unfrequent receipt, and constant charge; a system of finances not fit for an œconomist who would be rich; not fit for a prince who would govern his subjects with equity and justice.

It is not only between prince and subject, that these mock jurisdictions, and mimick revenues, produce great mischief. They excite among the people a spirit of informing, and delating; a spirit of supplanting and undermining one another. So that many in such circumstances, conceive it advantageous to them, rather to continue subject to vexation themselves, than to give up the means and chance of vexing others. It is exceedingly common for men to contract their love to their country, into an attachment to its petty subdivisions; and they sometimes even cling to their provincial abuses, as if they were franchises and local privileges. Accordingly, in places, where there is much of this kind of estate, persons will be always found, who would rather trust to their talents in recommending themselves to power for the renewal of their interests, than to incumber their purses, though never so lightly, in order to transmit independence to their posterity. It is a great mistake, that the desire of securing property is universal among mankind. Gaming is a principle inherent in human nature. It belongs to us all.

I would therefore break those tables; I would furnish no evil occupation for that spirit. I would make every man look every where, except to the intrigue of a court, for the improvement of his circumstances, or the security of his fortune. I have in my eye a very strong case in the duchy of Lancaster (which lately occupied Westminster-hall, and the house of lords) as my voucher for many of these reflections*.

For what plausible reason are these principalities suffered to exist? When a government is rendered complex (which in itself is no desirable thing) it ought to be for some political end, which cannot be answered otherwise. Subdivisions in government, are only admissible in favour of the dignity of inferiour princes, and high nobility; or for the support of an aristocratick confederacy under some head; or for the conservation of the franchises of the people in some privileged province. For the two former of these ends, such are the subdivisions in favour of the electoral and other princes in the empire; for the latter of these purposes are the jurisdiction of the imperial cities, and the Hanse towns. For the latter of these ends are also the countries of the States [*Pais d'Etats*] and certain cities, and orders in France. These are all regulations with an object, and some of them with a very

* Case of Richard Lee, Esq. appellant, *against* George Venables Lord Vernon, respondent, in the year 1776.

very good object. But how are the principles of any of these subdivisions applicable in the case before us.

Do they answer any purpose to the king? The principality of Wales was given by patent to Edward the Black Prince, on the ground on which it has since stood.—Lord Coke sagaciously observes upon it, "That in the charter of creating the "Black Prince Edward prince of Wales, there is "a *great mystery*—for *less* than an estate of inhe- "ritance, so *great* a prince *could* not have, and an "*absolute estate of inheritance* in so *great* a prin- "cipality as Wales (this principality being *so dear* "to him) he *should* not have; and therefore it was "made, *sibi et heredibus suis regibus Angliæ*, that "by his decease, or attaining to the crown, it "might be extinguished in the crown."

For the sake of this foolish *mystery*, of what a great prince *could* not have *less*, and *should* not have *so much*, of a principality which was too *dear* to be given, and too *great* to be kept—and for no other cause that ever I could find—this form and shadow of a principality, without any substance, has been maintained. That you may judge in this instance, (and it serves for the rest) of the difference between a great and a little œconomy, you will please to recollect, Sir, that Wales may be about the tenth part of England in size and population; and certainly not a hundredth part in opulence.

opulence. Twelve judges perform the whole of the business, both of the stationary and itinerant justice of this kingdom; but for Wales, there are eight judges. There is in Wales an exchequer, as well as in all the duchies, according to the very best and most authentick absurdity of form. There are in all of them, a hundred more difficult trifles and laborious fooleries, which serve no other purpose than to keep alive corrupt hope and servile dependence.

These principalities are so far from contributing to the ease of the king, to his wealth, or his dignity, that they render both his supreme and his subordinate authority, perfectly ridiculous. It was but the other day, that that pert, factious fellow, the duke of Lancaster, presumed to fly in the face of his liege lord, our gracious sovereign; and *associating* with a parcel of lawyers as factious as himself, to the destruction of *all law and order*, and *in committees leading directly to rebellion*—presumed to go to law with the king. The object is neither your business, nor mine. Which of the parties got the better, I really forget. I think it was (as it ought to be) the king. The material point is, that the suit cost about fifteen thousand pounds. But as the duke of Lancaster is but a sort of *duke Humphrey*, and not worth a groat, our sovereign was obliged to pay the costs of both. Indeed this art of converting a great monarch into a little

prince, this royal masquerading, is a very dangerous and expensive amusement; and one of the king's *menus plaisirs*, which ought to be reformed. This duchy, which is not worth four thousand pounds a year at best, to *revenue*, is worth forty or fifty thousand to *influence*.

The duchy of Lancaster, and the county palatine of Lancaster, answered, I admit, some purpose in their original creation. They tended to make a subject imitate a prince. When Henry the Fourth from that stair ascended the throne, high-minded as he was, he was not willing to kick away the ladder. To prevent that principality from being extinguished in the crown, he severed it by act of parliament. He had a motive, such as it was; he thought his title to the crown unsound, and his possession insecure. He therefore managed a retreat in his duchy; which Lord Coke calls (I do not know why) *par multis regnis*. He flattered himself that it was practicable to make a projecting point half way down, to break his fall from the precipice of royalty; as if it were possible for one who had lost a kingdom to keep any thing else. However, it is evident that he thought so. When Henry the Fifth united, by act of parliament, the estates of his mother to the duchy, he had the same predilection with his father, to the root of his family honours, and the same policy in enlarging the sphere of a possible retreat from the slippery

slippery royalty of the two great crowns he held. All this was changed by Edward the Fourth. He had no such family partialities, and his policy was the reverse of that of Henry the Fourth and Henry the Fifth. He accordingly again united the duchy of Lancaster to the crown. But when Henry the Seventh, who chose to consider himself as of the house of Lancaster, came to the throne, he brought with him the old pretensions, and the old politicks of that house. A new act of parliament, a second time, dissevered the duchy of Lancaster from the crown; and in that line things continued until the subversion of the monarchy, when principalities and powers fell along with the throne. The duchy of Lancaster must have been extinguished, if Cromwell, who began to form ideas of aggrandizing his house, and raising the several branches of it, had not caused the duchy to be again separated from the commonwealth, by an act of the parliament of those times.

What partiality, what objects of the politicks of the house of Lancaster, or of Cromwell, has his present majesty, or his majesty's family? What power have they within any of these principalities, which they have not within their kingdom? In what manner is the dignity of the nobility concerned in these principalities? What rights have the subject there, which they have not at least equally in every other part of the nation. These distinctions

distinctions exist for no good end to the king, to the nobility, or to the people. They ought not to exist at all. If the crown (contrary to its nature, but most conformably to the whole tenour of the advice that has been lately given) should so far forget its dignity, as to contend, that these jurisdictions and revenues are estates of private property, I am rather for acting as if that groundless claim were of some weight, than for giving up that essential part of the reform. I would value the clear income, and give a clear annuity to the crown, taken on the medium produce for twenty years.

If the crown has any favourite name or title, if the subject has any matter of local accommodation within any of these jurisdictions, it is meant to preserve them; and to improve them, if any improvement can be suggested. As to the crown, reversions or titles upon the property of the people there, it is proposed to convert them from a snare to their independence, into a relief from their burthens. I propose, therefore, to unite all the five principalities to the crown, and to its ordinary jurisdiction,—to abolish all those offices that produce an useless and chargeable separation from the body of the people,—to compensate those who do not hold their offices (if any such there are) at the pleasure of the crown,—to extinguish vexatious titles by an act of short limitation,—to sell those unprofitable

unprofitable estates which support useless jurisdictions, and to turn the tenant-right into a fee, on such moderate terms as will be better for the state than its present right, and which it is impossible for any rational tenant to refuse.

As to the duchies, their judicial œconomy may be provided for without charge. They have only to fall of course into the common county administration. A commission more or less made or omitted, settles the matter fully. As to Wales it has been proposed to add a judge to the several courts of Westminster-hall; and it has been considered as an improvement in itself. For my part, I cannot pretend to speak upon it with clearness or with decision; but certainly this arrangement would be more than sufficient for Wales. My original thought was to suppress five of the eight judges; and to leave the chief justice of Chester, with the two senior judges; and, to facilitate the business, to throw the twelve counties into six districts, holding the sessions alternately in the counties of which each district shall be composed. But on this I shall be more clear, when I come to the particular bill.

Sir, the house will now see whether, in praying for judgment against the minor principalities, I do not act in conformity to the laws that I had laid to myself, of getting rid of every jurisdiction more subservient to oppression and expence, than to any

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end of justice or honest policy; of abolishing offices more expensive than useful; of combining duties improperly separated; of changing revenues more vexatious than productive, into ready money; of suppressing offices which stand in the way of œconomy; and of cutting off lurking subordinate treasuries. Dispute the rules; controvert the application; or give your hands to this salutary measure.

Most of the same rules will be found applicable to my second object—*the landed estate of the crown.* A landed estate is certainly the very worst which the crown can possess. All minute and dispersed possessions, possessions that are often of indeterminate value, and which require a continued personal attendance, are of a nature more proper for private management, than publick administration. They are fitter for the care of a frugal land steward, than of an office in the state. Whatever they may possibly have been in other times, or in other countries, they are not of magnitude enough with us, to occupy a publick department, nor to provide for a publick object. They are already given up to parliament, and the gift is not of great value. Common prudence dictates even in the management of private affairs, that all dispersed and chargeable estates should be sacrificed to the relief of estates more compact and better circumstanced.

If it be objected, that these lands at present would

would sell at a low market; this is answered, by shewing that money is at a high price. The one balances the other. Lands sell at the current rate, and nothing can sell for more. But be the price what it may, a great object is always answered, whenever any property is transferred from hands that are not fit for that property, to those that are. The buyer and seller must mutually profit by such a bargain; and, what rarely happens in matters of revenue, the relief of the subject will go hand in hand with the profit of the exchequer.

As to the *forest lands*, in which the crown has (where they are not granted or prescriptively held) the *dominion* of the *soil*, and the *vert* and *venison*; that is to say, the timber and the game, and in which the people have a variety of rights, in common of herbage, and other commons, according to the usage of the several forests;—I propose to have those rights of the crown valued as manerial rights are valued on an inclosure; and a defined portion of land to be given for them; which land is to be sold for the publick benefit.

As to the timber, I propose a survey of the whole. What is useless for the naval purposes of the kingdom, I would condemn, and dispose of for the security of what may be useful; and to inclose such other parts as may be most fit to furnish a perpetual supply; wholly extinguishing for a very obvious reason, all right of *venison* in those parts.

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The forest *rights* which extend over the lands and possessions of others, being of no profit to the crown, and a grievance, as far as it goes, to the subject; these I propose to extinguish without charge to the proprietors. The several commons are to be allotted and compensated for, upon ideas which I shall hereafter explain. They are nearly the same with the principles upon which you have acted in private inclosures. I shall never quit precedents where I find them applicable. For those regulations and compensations, and for every other part of the detail, you will be so indulgent as to give me credit for the present.

The revenue to be obtained from the sale of the forest lands and rights, will not be so considerable, I believe, as many people have imagined; and I conceive it would be unwise to screw it up to the utmost, or even to suffer bidders to enhance, according to their eagerness, the purchase of objects, wherein the expence of that purchase may weaken the capital to be employed in their cultivation. This, I am well aware, might give room for partiality in the disposal. In my opinion it would be the lesser evil of the two. But I really conceive, that a rule of fair preference might be established, which would take away all sort of unjust and corrupt partiality. The principal revenue which I propose to draw from these uncultivated wastes, is to spring from the improvement and population

of the kingdom; which never can happen, without producing an improvement more advantageous to the revenues of the crown, than the rents of the best landed estate which it can hold. I believe, Sir, it will hardly be necessary for me to add, that in this sale I naturally except all the houses, gardens, and parks, belonging to the crown, and such one forest as shall be chosen by his majesty, as best accommodated to his pleasures.

By means of this part of the reform, will fall the expensive office of *surveyor general*, with all the influence that attends it. By this will fall *two chief justices in Eyre*, with all their train of dependents. You need be under no apprehension, Sir, that your office is to be touched in its emoluments; they are yours by law; and they are but a moderate part of the compensation which is given to you for the ability with which you execute an office of quite another sort of importance; it is far from overpaying your diligence; or more than sufficient for sustaining the high rank you stand in, as the first gentleman of England. As to the duties of your chief justiceship, they are very different from those for which you have received the office. Your dignity is too high for a jurisdiction over wild beasts; and your learning and talents too valuable to be wasted as chief justice of a desert. I cannot reconcile it to myself, that

you,

you, Sir, should be stuck up as an useless piece of antiquity.

I have now disposed of the unprofitable landed estates of the crown, and thrown them into the mass of private property; by which they will come, through the course of circulation, and through the political secretions of the state, into our better understood and better ordered revenues.

I come next to the great supreme body of the civil government itself. I approach it with that awe and reverence with which a young physician approaches to the cure of the disorders of his parent. Disorders, Sir, and infirmities, there are—such disorders, that all attempts towards method, prudence, and frugality, will be perfectly vain, whilst a system of confusion remains, which is not only alien, but adverse to all œconomy; a system, which is not only prodigal in its very essence, but causes every thing else which belongs to it to be prodigally conducted.

It is impossible, Sir, for any person to be an œconomist where no order in payments is established; it is impossible for a man to be an œconomist, who is not able to take a comparative view of his means, and of his expences, for the year which lies before him; it is impossible for a man to be an œconomist, under whom various officers in their several departments may spend,—even

just what they please,—and often with an emulation of expence, as contributing to the importance, if not profit, of their several departments. Thus much is certain; that neither the present, nor any other first lord of the treasury, has been ever able to take a survey, or to make even a tolerable guess, of the expences of government for any one year; so as to enable him with the least degree of certainty, or even probability, to bring his affairs within compass. Whatever scheme may be formed upon them, must be made on a calculation of chances. As things are circumstanced, the first lord of the treasury cannot make an estimate. I am sure I serve the king, and I am sure I assist administration, by putting œconomy at least in their power. We must *class services*; we must (as far as their nature admits) *appropriate* funds; or every thing, however reformed, will fall again into the old confusion.

Coming upon this ground of the civil list, the first thing in dignity and charge that attracts our notice, is the *royal household*. This establishment, in my opinion, is exceedingly abusive in its constitution. It is formed upon manners and customs that have long since expired. In the first place, it is formed, in many respects, upon *feudal principles*. In the feudal times, it was not uncommon, even among subjects, for the lowest offices to be held by considerable persons; persons as unfit by their incapacity,

incapacity, as improper from their rank, to occupy such employments. They were held by patent, sometimes for life, and sometimes by inheritance. If my memory does not deceive me, a person of no slight consideration held the office of patent hereditary cook to an earl of Warwick—The earl of Warwick's soups, I fear, were not the better for the dignity of his kitchen. I think it was an earl of Gloucester, who officiated as steward of the household to the archbishops of Canterbury. Instances of the same kind may in some degree be found in the Northumberland house-book, and other family records. There was some reason in ancient necessities, for these ancient customs. Protection was wanted; and the domestick tie, though not the highest, was the closest.

The king's household has not only several strong traces of this *feudality*, but it is formed also upon the principles of a *body corporate*; it has its own magistrates, courts, and by-laws. This might be necessary in the ancient times, in order to have a government within itself, capable of regulating the vast and often unruly multitude which composed and attended it. This was the origin of the ancient court called the *Green Cloth*—composed of the marshal, treasurer, and other great officers of the household, with certain clerks. The rich subjects of the kingdom, who had formerly the same establishments (only on a reduced scale) have since

altered their œconomy; and turned the course of their expence from the maintenance of vast establishments within their walls, to the employment of a great variety of independent trades abroad. Their influence is lessened; but a mode of accommodation, and a style of splendour, suited to the manners of the times, has been increased. Royalty itself has insensibly followed; and the royal household has been carried away by the resistless tide of manners: but with this very material difference;—private men have got rid of the establishments along with the reasons of them; whereas the royal household has lost all that was stately and venerable in the antique manners, without retrenching any thing of the cumbrous charge of a Gothick establishment. It is shrunk into the polished littleness of modern elegance and personal accommodation; it has evaporated from the gross concrete, into an essence and rectified spirit of expence, where you have tuns of ancient pomp in a vial of modern luxury.

But when the reason of old establishments is gone, it is absurd to preserve nothing but the burthen of them. This is superstitiously to embalm a carcass not worth an ounce of the gums that are used to preserve it. It is to burn precious oils in the tomb; it is to offer meat and drink to the dead,—not so much an honour to the deceased, as a disgrace to the survivors. Our palaces are vast inhospitable

inhospitable halls. There the bleak winds, there "Boreas, and Eurus, and Caurus, and Argestes loud," howling through the vacant lobbies, and clattering the doors of deserted guard-rooms, appal the imagination, and conjure up the grim spectres of departed tyrants—the Saxon, the Norman, and the Dane; the stern Edwards and fierce Henries—who stalk from desolation to desolation, through the dreary vacuity, and melancholy succession of chill and comfortless chambers. When this tumult subsides, a dead, and still more frightful silence would reign in this desert, if every now and then the tacking of hammers did not announce, that those constant attendants upon all courts in all ages, Jobs, were still alive; for whose sake alone it is, that any trace of ancient grandeur is suffered to remain. These palaces are a true emblem of some governments; the inhabitants are decayed, but the governours and magistrates still flourish. They put me in mind of *Old Sarum*, where the representatives, more in number than the constituents, only serve to inform us, that this was once a place of trade, and sounding with "the busy hum of men," though now you can only trace the streets by the colour of the corn; and its sole manufacture is in members of parliament.

These old establishments were formed also on a third principle, still more adverse to the living œconomy of the age. They were formed, Sir,

on the principle of *purveyance*, and *receipt in kind*. In former days, when the household was vast, and the supply scanty and precarious, the royal purveyors, sallying forth from under the Gothick portcullis, to purchase provision with power and prerogative, instead of money, brought home the plunder of a hundred markets, and all that could be seized from a flying and hiding country, and deposited their spoil in a hundred caverns, with each its keeper. There, every commodity, received in its rawest condition, went through all the process which fitted it for use. This inconvenient receipt produced an œconomy suited only to itself. It multiplied offices beyond all measure; buttery, pantry, and all that rabble of places, which, though profitable to the holders, and expensive to the state, are almost too mean to mention.

All this might be, and I believe was, necessary at first; for it is remarkable, that *purveyance*, after its regulation had been the subject of a long line of statutes (not fewer, I think, than twenty-six) was wholly taken away by the twelfth of Charles the Second; yet in the next year of the same reign, it was found necessary to revive it by a special act of parliament, for the sake of the king's journies. This, Sir, is curious; and what would hardly be expected in so reduced a court as that of Charles the Second, and so improved a country

as

as England might then be thought. But so it was. In our time, one well filled and well covered stage-coach requires more accommodation than a royal progress; and every district, at an hour's warning, can supply an army.

I do not say, Sir, that all these establishments, whose principle is gone, have been systematically kept up for influence solely: neglect had its share. But this I am sure of, that a consideration of influence has hindered any one from attempting to pull them down. For the purposes of influence, and for those purposes only, are retained half at least of the household establishments. No revenue, no not a royal revenue, can exist under the accumulated charge of ancient establishment, modern luxury, and parliamentary political corruption.

If therefore we aim at regulating this household, the question will be, whether we ought to œconomize by *detail*, or by *principle?* The example we have had of the success of an attempt to œconomize by detail, and under establishments adverse to the attempt, may tend to decide this question.

At the beginning of his majesty's reign, lord Talbot came to the administration of a great department in the household. I believe no man ever entered into his majesty's service, or into the service of any prince, with a more clear integrity, or with more zeal and affection for the interest of his master; and I must add, with abilities for a still higher

higher service. Œconomy was then announced as a maxim of the reign. This noble lord, therefore, made several attempts towards a reform. In the year 1777, when the king's civil list debts came last to be paid, he explained very fully the success of his undertaking. He told the house of lords, that he had attempted to reduce the charges of the king's tables, and his kitchen.—The thing, Sir, was not below him. He knew that there is nothing interesting in the concerns of men, whom we love and honour, that is beneath our attention.—"Love," says one of our old poets, "esteems no office mean;" and with still more spirit, "entire affection scorneth nicer hands." Frugality, Sir, is founded on the principle, that all riches have limits. A royal household, grown enormous, even in the meanest departments, may weaken and perhaps destroy all energy in the highest offices of the state. The gorging a royal kitchen may stint and famish the negotiations of a kingdom. Therefore the object was worthy of his, was worthy of any man's attention.

In consequence of this noble lord's resolution, (as he told the other house) he reduced several tables, and put the persons entitled to them upon board wages, much to their own satisfaction. But unluckily, subsequent duties requiring constant attendance, it was not possible to prevent their being fed where they were employed—and thus

thus this first step towards œconomy doubled the expence.

There was another disaster far more doleful than this. I shall state it, as the cause of that misfortune lies at the bottom of almost all our prodigality. Lord Talbot attempted to reform the kitchen; but such, as he well observed, is the consequence of having duty done by one person, whilst another enjoys the emoluments, that he found himself frustrated in all his designs. On that rock his whole adventure split—His whole scheme of œconomy was dashed to pieces; his department became more expensive than ever;—the civil list debt accumulated—Why? It was truly from a cause, which, though perfectly adequate to the effect, one would not have instantly guessed;—It was because the *turnspit in the king's kitchen was a member of parliament**. The king's domestick servants were all undone; his tradesmen remained unpaid, and became bankrupt—*because the turnspit of the king's kitchen was a member of parliament.* His majesty's slumbers were interrupted, his pillow was stuffed with thorns, and his peace of mind entirely broken—*because the king's turnspit was a member of parliament.* The judges were unpaid; the justice of the kingdom bent and gave way; the

* Vide lord Talbot's speech in Almon's Parliamentary Register, vol. vii. p. 79, of the proceedings of the lords.

the foreign ministers remained inactive and unprovided; the system of Europe was dissolved; the chain of our alliances was broken; all the wheels of government at home and abroad were stopped—*because the king's turnspit was a member of parliament.*

Such, Sir, was the situation of affairs, and such the cause of that situation, when his majesty came a second time to parliament, to desire the payment of those debts which the employment of its members in various offices, visible and invisible, had occasioned. I believe that a like fate will attend every attempt at œconomy by detail, under similar circumstances, and in every department. A complex operose office of account and controul, is, in itself, and even if members of parliament had nothing to do with it, the most prodigal of all things. The most audacious robberies, or the most subtle frauds, would never venture upon such a waste, as an over careful, detailed guard against them will infallibly produce. In our establishments, we frequently see an office of account, of an hundred pounds a year expence, and another office of an equal expence, to controul that office, and the whole upon a matter that is not worth twenty shillings.

To avoid, therefore, this minute care which produces the consequences of the most extensive neglect, and to oblige members of parliament to attend

attend to publick cares, and not to the servile offices of domestick management, I propose, Sir, to *œconomize by principle*, that is, I propose to put affairs into that train which experience points out as the most effectual, from the nature of things, and from the constitution of the human mind. In all dealings where it is possible, the principles of radical œconomy prescribe three things; first, undertaking by the great; secondly, engaging with persons of skill in the subject-matter; thirdly, engaging with those who shall have an immediate and direct interest in the proper execution of the business.

To avoid frittering and crumbling down the attention by a blind unsystematick observance of every trifle, it has ever been found the best way to do all things which are great in the total amount, and minute in the component parts, by a *general contract*. The principles of trade have so pervaded every species of dealing, from the highest to the lowest objects; all transactions are got so much into system, that we may, at a moment's warning, and to a farthing value, be informed at what rate any service may be supplied. No dealing is exempt from the possibility of fraud. But by a contract on a matter certain, you have this advantage—you are sure to know the utmost *extent* of the fraud to which you are subject. By a contract with a person in *his own trade*, you are sure

sure you shall not suffer by *want of skill*. By a *short* contract you are sure of making it the *interest* of the contractor to exert that skill for the satisfaction of his employers.

I mean to derogate nothing from the diligence or integrity of the present, or of any former board of green-cloth. But what skill can members of parliament obtain in that low kind of province? What pleasure can they have in the execution of that kind of duty? And if they should neglect it, how does it affect their interest, when we know that it is their vote in parliament, and not their diligence in cookery or catering, that recommends them to their office, or keeps them in it?

I therefore propose, that the king's tables (to whatever number of tables, or covers to each, he shall think proper to command) should be classed by the steward of the household, and should be contracted for, according to their rank, by the head or cover;—that the estimate and circumstance of the contract should be carried to the treasury to be approved; and that its faithful and satisfactory performance should be reported there previous to any payment; that there, and there only, should the payment be made. I propose, that men should be contracted with only in their proper trade; and that no member of parliament should be capable of such contract. By this plan, almost all the infinite offices under the lord steward

may be spared; to the extreme simplification, and to the far better execution, of every one of his functions. The king of Prussia is so served. He is a great and eminent (though indeed a very rare) instance of the possibility of uniting in a mind of vigour and compass, an attention to minute objects, with the largest views, and the most complicated plans. His tables are served by contract, and by the head. Let me say, that no prince can be ashamed to imitate the king of Prussia; and particularly to learn in his school, when the problem is—"The best manner of reconciling the state of a court with the support of war?" Other courts, I understand, have followed him with effect, and to their satisfaction.

The same clue of principle leads us through the labyrinth of the other departments. What, Sir, is there in the office of *the great wardrobe* (which has the care of the king's furniture) that may not be executed by the *lord chamberlain himself?* He has an honourable appointment; he has time sufficient to attend to the duty; and he has the vice chamberlain to assist him. Why should not he deal also by contract, for all things belonging to this office, and carry his estimates first, and his report of the execution in its proper time, for payment, directly to the board of treasury itself? By a simple operation (containing in it a treble controul) the expences of a department, which for naked walls, or walls

walls hung with cobwebs, has in a few years cost the crown 150,000 *l.* may at length hope for regulation. But, Sir, the office and its business are at variance. As it stands, it serves not to furnish the palace with its hangings, but the parliament with its dependent members.

To what end, Sir, does the office of *removing wardrobe* serve at all? Why should a *jewel office* exist for the sole purpose of taxing the king's gifts of plate? Its object falls naturally within the *chamberlain*'s province; and ought to be under his care and inspection without any fee. Why should an office of the *robes* exist, when that of *groom of the stole* is a sinecure, and that this is a proper object of his department?

All these incumbrances, which are themselves nuisances, produce other incumbrances, and other nuisances. For the payment of these useless establishments, there are no less than *three useless treasurers*; two to hold a purse, and one to play with a stick. The treasurer of the household is a mere name. The cofferer and the treasurer of the chamber receive and pay great sums, which it is not at all necessary *they* should either receive or pay. All the proper officers, servants, and tradesmen, may be inrolled in their several departments, and paid in proper classes and times with great simplicity and order, at the exchequer, and by direction from the treasury.

The

The *board of works*, which in the seven years preceding 1777, has cost towards £. 400,000*; and (if I recollect rightly) has not cost less in proportion from the beginning of the reign, is under the very same description of all the other ill-contrived establishments, and calls for the very same reform. We are to seek for the visible signs of all this expence.—For all this expence, we do not see a building of the size and importance of a pigeon-house. Buckingham-house was reprised by a bargain with the publick for one hundred thousand pounds;—and the small house at Windsor has been, if I mistake not, undertaken since that account was brought before us. The good works of that board of works, are as carefully concealed as other good works ought to be; they are perfectly invisible. But though it is the perfection of charity to be concealed, it is, Sir, the property and glory of magnificence, to appear and stand forward to the eye.

That board, which ought to be a concern of builders, and such like, and of none else, is turned into a junto of members of parliament. That office too has a *treasury*, and a paymaster of its own; and lest the arduous affairs of that important exchequer should be too fatiguing, that paymaster has a deputy to partake his profits, and relieve his cares. I do not believe, that either now or in former times, the chief managers of that board

* More exactly 378,616*l.* 10*s.* 1½*d.*

board have made any profit of its abuse. It is, however, no good reason that an abusive establishment should subsist, because it is of as little private as of publick advantage. But this establishment has the grand radical fault, the original sin, that pervades and perverts all our establishments;—the apparatus is not fitted to the object, nor the workmen to the work. Expences are incurred on the private opinion of an inferiour establishment, without consulting the principal; who can alone determine the proportion which it ought to bear to the other establishments of the state, in the order of their relative importance.

I propose, therefore, along with the rest, to pull down this whole ill-contrived scaffolding, which obstructs, rather than forwards our public works; to take away its treasury; to put the whole into the hands of a real builder, who shall not be a member of parliament; and to oblige him, by a previous estimate and final payment, to appear twice at the treasury before the publick can be loaded. The king's gardens are to come under a similar regulation.

The *mint*, though not a department of the household, has the same vices. It is a great expence to the nation, chiefly for the sake of members of parliament. It has its officers of parade and dignity. It has its treasury too. It is a sort of corporate body; and formerly was a body

of

of great importance; as much so on the then scale of things, and the then order of business, as the bank is at this day. It was the great centre of money transactions and remittances for our own, and for other nations; until king Charles the First, among other arbitrary projects, dictated by despotick necessity, made it withhold the money that lay there for remittance. That blow (and happily too) the mint never recovered. Now it is no bank; no remittance-shop. The mint, Sir, is a *manufacture*, and it is nothing else; and it ought to be undertaken upon the principles of a manufacture; that is, for the best and cheapest execution, by a contract upon proper securities, and under proper regulations.

The *artillery* is a far greater object; it is a military concern; but having an affinity and kindred in its defects with the establishments I am now speaking of, I think it best to speak of it along with them. It is, I conceive, an establishment, not well suited to its martial, though exceedingly well calculated for its parliamentary purposes.—Here there is a *treasury*, as in all the other inferiour departments of government. Here the military is subordinate to the civil, and the naval confounded with the land service. The object indeed is much the same in both. But when the detail is examined, it will be found that they had better be separated. For a reform of this office, I propose to restore things to what (all considerations taken together)

is their natural order; to restore them to their just proportion, and to their just distribution. I propose, in this military concern, to render the civil subordinate to the military; and this will annihilate the greatest part of the expence, and all the influence belonging to the office. I propose to send the military branch to the army, and the naval to the admiralty: and I intend to perfect and accomplish the whole detail (where it becomes too minute and complicated for legislature, and requires exact, official, military, and mechanical knowledge) by a commission of competent officers in both departments. I propose to execute by contract, what by contract can be executed; and to bring, as much as possible, all estimates to be previously approved, and finally to be paid by the treasury.

Thus, by following the course of nature, and not the purposes of politicks, or the accumulated patchwork of occasional accommodation, this vast expensive department may be methodized; its service proportioned to its necessities, and its payments subjected to the inspection of the superiour minister of finance; who is to judge of it on the result of the total collective exigencies of the state. This last is a reigning principle through my whole plan; and it is a principle which I hope may hereafter be applied to other plans.

By these regulations taken together—besides the

the three subordinate treasuries in the lesser principalities, five other subordinate treasuries are suppressed. There is taken away the whole *establishment of detail* in the household; the *treasurer*;—the *comptroller* (for a comptroller is hardly necessary where there is no treasurer); the *cofferer of the household*; the *treasurer of the chamber*; the *master of the household*; the whole *board of green cloth*;—and a vast number of subordinate offices in the department of the *steward of the household*;—the whole establishment of the *great wardrobe*;—the *removing wardrobe*;—the *jewel office*;—the *robes*; the *board of works*; almost the whole charge of the *civil branch* of the *board of ordnance* are taken away. All these arrangements together will be found to relieve the nation from a vast weight of influence, without distressing, but rather by forwarding every publick service. When something of this kind is done, then the publick may begin to breathe. Under other governments, a question of expence is only a question of œconomy, and it is nothing more; with us in every question of expence, there is always a mixture of constitutional considerations.

It is, Sir, because I wish to keep this business of subordinate treasuries as much as I can together, that I brought the *ordnance-office* before you, though it is properly a military department. For the same reason I will now trouble you with my thoughts and

propositions upon two of the greatest *under treasuries*, I mean the office of *paymaster of the land forces*, or *treasurer of the army*, and that of the *treasurer of the navy*. The former of these has long been a great object of publick suspicion and uneasiness. Envy too has had its share in the obloquy which is cast upon this office. But I am sure that it has no share at all in the reflections I shall make upon it, or in the reformations that I shall propose. I do not grudge to the honourable gentleman who at present holds the office, any of the effects of his talents, his merit, or his fortune. He is respectable in all these particulars. I follow the constitution of the office without persecuting its holder. It is necessary in all matters of publick complaint, where men frequently feel right and argue wrong, to separate prejudice from reason; and to be very sure, in attempting the redress of a grievance, that we hit upon its real seat, and its true nature. Where there is an abuse in office, the first thing that occurs in heat is to censure the officer. Our natural disposition leads all our enquiries rather to persons than to things. But this prejudice is to be corrected by maturer thinking.

Sir, the profits of the *pay-office* (as an office) are not too great, in my opinion, for its duties, and for the rank of the person who has generally held it. He has been generally a person of the highest rank; that is to say, a person of eminence and

consideration in this house. The great and the invidious profits of the pay-office are from the *bank* that is held in it. According to the present course of the office, and according to the present mode of accounting there, this bank must necessarily exist somewhere. Money is a productive thing; and when the usual time of its demand can be tolerably calculated, it may, with prudence, be safely laid out to the profit of the holder. It is on this calculation that the business of banking proceeds. But no profit can be derived from the use of money, which does not make it the interest of the holder to delay his account. The process of the exchequer colludes with this interest. Is this collusion from its want of rigour and strictness, and great regularity of form? The reverse is true. They have in the exchequer brought rigour and formalism to their ultimate perfection. The process against accountants is so rigorous, and in a manner so unjust, that correctives must, from time to time, be applied to it. These correctives being discretionary, upon the case, and generally remitted by the barons to the lords of the treasury, as the best judges of the reasons for respite, hearings are had; delays are produced; and thus the extreme of rigour in office (as usual in all human affairs) leads to the extreme of laxity. What with the interested delay of the officer; the ill-conceived exactness of the court; the applications for

dispensations from that exactness; the revival of rigorous process, after the expiration of the time; and the new rigours producing new applications, and new enlargements of time, such delays happen in the publick accounts, that they can scarcely ever be closed.

Besides, Sir, they have a rule in the exchequer, which, I believe, they have founded upon a very ancient statute, that of the 51st of Henry III. by which it is provided, "That when a sheriff or "bailiff hath began his account, none other shall "be received to account until he that was first "appointed hath clearly accounted, and that the "sum has been received*." Whether this clause of that statute be the ground of that absurd practice, I am not quite able to ascertain. But it has very generally prevailed, though I am told that of late they have began to relax from it. In consequence of forms adverse to substantial account, we have a long succession of paymasters and their representatives, who have never been admitted to account, although perfectly ready to do so.

As the extent of our wars has scattered the accountants under the paymaster into every part of the globe, the grand and sure paymaster, Death, in all his shapes, calls these accountants to another reckoning.

* Et quant viscount ou bailiff ait commence de accompter, nul autre ne seit resceu de acconter tanque le primer qe soit assis eit peraccompte, et que la somme soit resceu. Stat. 5. ann. dom. 1266.

reckoning. Death, indeed, domineers over every thing, but the forms of the exchequer. Over these he has no power. They are impassive and immortal. The audit of the exchequer, more severe than the audit to which the accountants are gone, demands proofs which in the nature of things are difficult, sometimes impossible to be had. In this respect too, rigour, as usual, defeats itself. Then, the exchequer never gives a particular receipt, or clears a man of his account, as far as it goes. A final acquittance, (or a *quietus*, as they term it) is scarcely ever to be obtained. Terrours and ghosts of unlaid accountants, haunt the houses of their children from generation to generation. Families, in the course of succession, fall into minorities; the inheritance comes into the hands of females; and very perplexed affairs are often delivered over into the hands of negligent guardians and faithless stewards. So that the demand remains, when the advantage of the money is gone, if ever any advantage at all has been made of it. This is a cause of infinite distress to families; and becomes a source of influence to an extent, that can scarcely be imagined, but by those who have taken some pains to trace it. The mildness of government in the employment of useless and dangerous powers, furnishes no reason for their continuance.

As things stand, can you in justice (except perhaps in that over-perfect kind of justice which has obtained,

obtained, by its merits, the title of the opposite vice *) insist that any man should, by the course of his office, keep a *bank* from whence he is to derive no advantage? That a man should be subject to demands below, and be in a manner refused an acquittance above; that he should transmit an original sin, and inheritance of vexation to his posterity, without a power of compensating himself in some way or other, for so perilous a situation? We know, that if the paymaster should deny himself the advantages of his bank, the publick, as things stand, is not the richer for it by a single shilling. This I thought it necessary to say, as to the offensive magnitude of the profits of this office; that we may proceed in reformation, on the principles of reason, and not on the feelings of envy.

The treasurer of the navy is, *mutatis mutandis*, in the same circumstances. Indeed all accountants are. Instead of the present mode, which is troublesome to the officer and unprofitable to the publick, I propose to substitute something more effectual than rigour, which is the worst exactor in the world. I mean to remove the very temptations to delay; to facilitate the account; and to transfer this bank, now of private emolument, to the publick. The crown will suffer no wrong at least from the pay-offices; and its terrours will no longer reign over the families of those who hold, or have held them.

* Summum jus summa injuria.

them. I propose that these offices should be no longer *banks* or *treasuries*, but mere *offices of administration*.—I propose, first, that the present paymaster and the treasurer of the navy, should carry into the exchequer, the whole body of the vouchers for what they have paid over to the deputy paymasters, to regimental agents, or to any of those to whom they have and ought to have paid money. I propose that those vouchers shall be admitted as actual payments in their accounts; and that the persons to whom the money has been paid, shall then stand charged in the exchequer in their place. After this process, they shall be debited or charged for nothing but the money-balance that remains in their hands.

I am conscious, Sir, that if this balance (which they could not expect to be so suddenly demanded by any usual process of the exchequer) should now be exacted all at once, not only their ruin, but a ruin of others to an extent which I do not like to think of, but which I can well conceive, and which you may well conceive, might be the consequence. I told you, Sir, when I promised before the holydays to bring in this plan, that I never would suffer any man or description of men, to suffer from errours that naturally have grown out of the abusive constitution of those offices which I propose to regulate. If I cannot reform with equity, I will not reform at all.

For

For the regulation of past accounts, I shall therefore propose such a mode, as men, temperate and prudent, make use of in the management of their private affairs, when their accounts are various, perplexed, and of long standing. I would therefore, after their example, divide the publick debts into three sorts; good; bad; and doubtful. In looking over the publick accounts, I should never dream of the blind mode of the exchequer, which regards things in the abstract, and knows no difference in the quality of its debts, or the circumstances of its debtors. By this means, it fatigues itself; it vexes others; it often crushes the poor; it lets escape the rich; or in a fit of mercy or carelessness, declines all means of recovering its just demands. Content with the eternity of its claims, it enjoys its epicurean divinity with epicurean languor. But it is proper that all sorts of accounts should be closed some time or other—by payment; by composition; or by oblivion. *Expedit reipublicæ ut sit finis litium.* Constantly taking along with me, that an extreme rigour is sure to arm every thing against it, and at length to relax into a supine neglect, I propose, Sir, that even the best, soundest, and the most recent debts, should be put into instalments, for the mutual benefit of the accountant and the publick.

In proportion, however, as I am tender of the past, I would be provident of the future. All money

money that was formerly imprested to the two great *pay-offices*, I would have imprested in future to the *bank of England*. These offices should in future, receive no more than cash sufficient for small payments. Their other payments ought to be made by drafts on the bank, expressing the service. A checque account from both offices, of drafts and receipts, should be annually made up in the exchequer, charging the bank in the account, with the cash-balance, but not demanding the payment until there is an order from the treasury, in consequence of a vote of parliament.

As I did not, Sir, deny to the paymaster the natural profits of the bank that was in his hands, so neither would I to the bank of England. A share of that profit might be derived to the publick in various ways. My favourite mode is this; that, in compensation for the use of this money, the bank may take upon themselves, first *the charge of the mint*; to which they are already, by their charter, obliged to bring in a great deal of bullion annually to be coinéd.

In the next place, I mean that they should take upon themselves the charge of *remittances to our troops abroad*. This is a species of dealing from which, by the same charter, they are not debarred. One and a quarter *per cent.* will be saved instantly thereby to the publick, on very large sums of money. This will be at once a matter of œconomy, and a considerable

considerable reduction of influence, by taking away a private contract of an expensive nature. If the bank, which is a great corporation, and of course receives the least profits from the money in their custody, should of itself refuse, or be persuaded to refuse this offer upon those terms, I can speak with some confidence, that one at least, if not both parts of the condition would be received, and gratefully received, by several bankers of eminence. There is no banker who will not be at least as good security as any paymaster of the forces, or any treasurer of the navy, that have ever been bankers to the publick: as rich at least as my lord Chatham, or my Lord Holland, or either of the honourable gentlemen who now hold the offices, were at the time that they entered into them; or as ever the whole establishment of the *mint* has been at any period.

These, Sir, are the outlines of the plan I mean to follow, in suppressing these two large subordinate treasuries. I now come to another subordinate treasury; I mean, that of the *paymaster of the pensions*; for which purpose I re-enter the limits of the civil establishment—I departed from those limits in pursuit of a principle; and following the same game in its doubles, I am brought into those limits again. That treasury, and that office, I mean to take away; and to transfer the payment of every name, mode, and denomination of pensions,

pensions, to the *exchequer*. The present course of diversifying the same object, can answer no good purpose; whatever its use may be to purposes of another kind. There are also other lists of pensions; and I mean that they should all be hereafter paid at one and the same place. The whole of the new consolidated list I mean to reduce to £. 60,000 a year, which sum I intend it shall never exceed. I think that sum will fully answer as a reward for all real merit, and a provision for all real publick charity that is ever like to be placed upon the list. If any merit of an extraordinary nature should emerge, before that reduction is completed, I have left it open for an address of either house of parliament to provide for the case. To all other demands, it must be answered, with regret, but with firmness, "the publick is poor."

I do not propose, as I told you before Christmas, to take away any pension. I know, that the publick seem to call for a reduction of such of them as shall appear unmerited. As a censorial act, and punishment of an abuse, it might answer some purpose. But this can make no part of *my* plan. I mean to proceed by bill; and I cannot stop for such an enquiry. I know some gentlemen may blame me. It is with great submission to better judgments that I recommend it to consideration; that a critical retrospective examination of the pension list, upon the principle of merit, can never serve for my basis.—It cannot answer, according

to

to my plan, any effectual purpose of œconomy, or of future permanent reformation. The process in any way will be entangled and difficult; and it will be infinitely slow: there is a danger that if we turn our line of march, now directed towards the grand object, into this more laborious than useful detail of operations, we shall never arrive at our end.

The king, Sir, has been by the constitution appointed sole judge of the merit for which a pension is to be given. We have a right undoubtedly, to canvass this, as we have to canvass every act of government. But there is a material difference between an office to be reformed, and a pension taken away for demerit. In the former case, no charge is implied against the holder; in the latter, his character is slurred, as well as his lawful emolument affected. The former process is against the thing; the second against the person. The pensioner certainly, if he pleases, has a right to stand on his own defence; to plead his possession; and to bottom his title in the competency of the crown to give him what he holds. Possessed, and on the defensive as he is, he will not be obliged to prove his special merit, in order to justify the act of legal discretion, now turned into his property, according to his tenure. The very act, he will contend, is a legal presumption, and an implication of his merit. If this be so, from the natural force of all legal presumption, he would put

us to the difficult proof, that he has no merit at all. But other questions would arise in the course of such an enquiry; that is, questions of the merit when weighed against the proportion of the reward; then the difficulty will be much greater.

The difficulty will not, Sir, I am afraid, be much less, if we pass to the person really guilty, in the question of an unmerited pension; the minister himself. I admit that when called to account for the execution of a trust, he might fairly be obliged to prove the affirmative; and to state the merit for which the pension is given; though on the pensioner himself, such a process would be hard. If in this examination we proceed methodically, and so as to avoid all suspicion of partiality and prejudice, we must take the pensions in order of time, or merely alphabetically. The very first pension to which we come, in either of these ways, may appear the most grossly unmerited of any. But the minister may very possibly shew, that he knows nothing of the putting on this pension—that it was prior in time to his administration—that the minister who laid it on, is dead; and then we are thrown back upon the pensioner himself, and plunged into all our former difficulties. Abuses, and gross ones, I doubt not, would appear; and to the correction of which I would readily give my hand; but, when I consider that pensions have not generally been affected by the

revolutions of ministry; as I know not where such enquiries would stop; and as an absence of merit is a negative and loose thing, one might be led to derange the order of families, founded on the probable continuance of their kind of income. I might hurt children; I might injure creditors. I really think it the more prudent course, not to follow the letter of the petitions. If we fix this mode of enquiry as a basis, we shall, I fear, end, as parliament has often ended under similar circumstances. There will be great delay; much confusion; much inequality in our proceedings. But what presses me most of all is this; that though we should strike off all the unmerited pensions, while the power of the crown remains unlimited, the very same undeserving persons might afterwards return to the very same list; or if they did not, other persons meriting as little as they do, might be put upon it to an undefinable amount. This I think is the pinch of the grievance.

For these reasons, Sir, I am obliged to wave this mode of proceeding as any part of my plan. In a plan of reformation, it would be one of my maxims, that when I know of an establishment, which may be subservient to useful purposes, and which, at the same time, from its discretionary nature, is liable to a very great perversion from those purposes, *I would limit the quantity of the power that might be so abused.* For I am sure, that in all such cases,

cases, the rewards of merit will have very narrow bounds; and that partial or corrupt favour will be infinite. This principle is not arbitrary; but the limitation of the specifick quantity must be so in some measure. I therefore state 60,000*l.* leaving it open to the house to enlarge or contract the sum as they shall see, on examination, that the discretion I use is scanty or liberal. The whole amount of the pensions of all denominations, which have been laid before us, amount, for a period of seven years, to considerably more than 100,000*l.* a year. To what the other lists amount, I know not. That will be seen hereafter. But from those that do appear, a saving will accrue to the publick, at one time or other, of 40,000*l.* a year, and we had better in my opinion to let it fall in naturally, than to tear it crude and unripe from the stalk*.

There is a great deal of uneasiness among the people, upon an article which I must class under the head of pensions. I mean the *great patent offices in the exchequer.* They are in reality and substance

* It was supposed by the lord advocate, in a subsequent debate, that Mr. Burke, because he objected to an enquiry into the pension list for the purpose of œconomy and relief of the publick, would have it withheld from the judgment of parliament for all purposes whatsoever. This learned gentleman certainly misunderstood him. His plan shews that he wished the whole list to be easily accessible; and he knows that the publick eye is of itself a great guard against abuse.

substance no other than pensions, and in no other light shall I consider them. They are sinecures. They are always executed by deputy. The duty of the principal is as nothing. They differ however from the pensions on the list, in some particulars. They are held for life. I think, with the publick, that the profits of those places are grown enormous; the magnitude of those profits, and the nature of them, both call for reformation. The nature of their profits, which grow out of the publick distress, is itself invidious and grievous. But I fear that reform cannot be immediate. I find myself under a restriction. These places, and others of the same kind, which are held for life, have been considered as property. They have been given as a provision for children; they have been the subject of family settlements; they have been the security of creditors. What the law respects shall be sacred to me. If the barriers of law should be broken down, upon ideas of convenience, even of publick convenience, we shall have no longer any thing certain among us. If the discretion of power is once let loose upon property, we can be at no loss to determine whose power, and what discretion it is that will prevail at last. It would be wise to attend upon the order of things; and not to attempt to outrun the slow, but smooth and even course of nature. There are occasions, I admit, of publick necessity, so vast, so clear,

clear, so evident, that they supersede all laws. Law being only made for the benefit of the community, cannot in any one of its parts resist a demand which may comprehend the total of the publick interest. To be sure, no law can set itself up against the cause and reason of all law. But such a case very rarely happens; and this most certainly is not such a case. The mere time of the reform is by no means worth the sacrifice of a principle of law. Individuals pass like shadows; but the commonwealth is fixed and stable. The difference, therefore, of to-day and to-morrow, which to private people is immense, to the state is nothing. At any rate, it is better, if possible, to reconcile our œconomy with our laws, than to set them at variance; a quarrel which in the end must be destructive to both.

My idea, therefore, is to reduce those officers to fixed salaries, as the present lives and reversions shall successively fall. I mean, that the office of the great auditor (the auditor of the receipt) shall be reduced to 3,000*l.* a year; and the auditors of the imprest, and the rest of the principal officers, to fixed appointments of 1,500*l.* a year each. It will not be difficult to calculate the value of this fall of lives to the publick, when we shall have obtained a just account of the present income of those places; and we shall obtain that account

with great facility, if the present possessors are not alarmed with any apprehension of danger to their freehold office.

I know too, that it will be demanded of me, how it comes, that since I admit these offices to be no better than pensions, I chose, after the principle of law had been satisfied, to retain them at all? To this, Sir, I answer, that conceiving it to be a fundamental part of the constitution of this country, and of the reason of state in every country, that there must be means of rewarding publick service, those means will be incomplete, and indeed wholly insufficient for that purpose, if there should be no further reward for that service, than the daily wages it receives during the pleasure of the crown.

Whoever seriously considers the excellent argument of lord Somers, in the banker's case, will see he bottoms himself upon the very same maxim which I do; and one of his principal grounds of doctrine for the alienability of the domain in England*, contrary to the maxim of the law in France, he lays in the constitutional policy of furnishing a permanent reward to publick service; of making that reward the origin of families; and the foundation of wealth as well as of honours. It is indeed

* Before the statute of queen Anne, which limited the alienation of land.

indeed the only genuine unadulterated origin of nobility. It is a great principle in government; a principle at the very foundation of the whole structure. The other judges who held the same doctrine, went beyond lord Somers with regard to the remedy, which they thought was given by law against the crown, upon the grant of pensions. Indeed no man knows, when he cuts off the incitements to a virtuous ambition, and the just rewards of publick service, what infinite mischief he may do his country, through all generations. Such saving to the publick may prove the worst mode of robbing it. The crown, which has in its hands the trust of the daily pay for national service, ought to have in its hands also the means for the repose of publick labour, and the fixed settlement of acknowledged merit. There is a time, when the weather-beaten vessels of the state ought to come into harbour. They must at length have a retreat from the malice of rivals, from the perfidy of political friends, and the inconstancy of the people. Many of the persons, who in all times have filled the great offices of state, have been younger brothers, who had originally little, if any fortune. These offices do not furnish the means of amassing wealth. There ought to be some power in the crown of granting pensions out of the reach of its own caprices. An intail of dependence is a bad reward of merit.

I would, therefore, leave to the crown the possibility of conferring some favours, which, whilst they are received as a reward, do not operate as corruption. When men receive obligations from the crown, through the pious hands of fathers, or of connexions as venerable as the paternal, the dependencies which arise from thence, are the obligations of gratitude, and not the fetters of servility. Such ties originate in virtue, and they promote it. They continue men in those habitudes of friendship, those political connexions, and those political principles, in which they began life. They are antidotes against a corrupt levity, instead of causes of it. What an unseemly spectacle would it afford, what a disgrace would it be to the commonwealth that suffered such things, to see the hopeful son of a meritorious minister begging his bread at the door of that treasury, from whence his father dispensed the œconomy of an empire, and promoted the happiness and glory of his country? Why should he be obliged to prostrate his honour, and to submit his principles at the levee of some proud favourite, shouldered and thrust aside by every impudent pretender, on the very spot where a few days before he saw himself adored?—obliged to cringe to the author of the calamities of his house, and to kiss the hands that are red with his father's blood?—No, Sir, these things are unfit—they are intolerable.

Sir,

Sir, I shall be asked, why I do not choose to destroy those offices which are pensions, and appoint pensions under the direct title in their stead? I allow that in some cases it leads to abuse; to have things appointed for one purpose, and applied to another. I have no great objection to such a change: but I do not think it quite prudent for me to propose it. If I should take away the present establishment, the burthen of proof rests upon me, that so many pensions, and no more, and to such an amount each, and no more, are necessary for the publick service. This is what I can never prove; for it is a thing incapable of definition. I do not like to take away an object that I think answers my purpose, in hopes of getting it back again in a better shape. People will bear an old establishment when its excess is corrected, who will revolt at a new one. I do not think these office-pensions to be more in number than sufficient: but on that point the house will exercise its discretion. As to abuse, I am convinced that very few trusts in the ordinary course of administration have admitted less abuse than this. Efficient ministers have been their own paymasters. It is true. But their very partiality has operated as a kind of justice; and still it was service that was paid. When we look over this exchequer list, we find it filled with the descendants of the Walpoles, of the Pelhams, of the Townshends; names to whom

whom this country owes its liberties; and to whom his majesty owes his crown. It was in one of these lines, that the immense and envied employment he now holds, came to a certain duke*, who is now probably sitting quietly at a very good dinner directly under us, and acting *high life below stairs*, whilst we, his masters, are filling our mouths with unsubstantial sounds, and talking of hungry œconomy over his head. But he is the elder branch of an ancient and decayed house, joined to, and repaired by the reward of services done by another. I respect the original title, and the first purchase of merited wealth and honour through all its descents, through all its transfers, and all its assignments. May such fountains never be dried up! May they ever flow with their original purity, and refresh and fructify the commonwealth, for ages!

Sir, I think myself bound to give you my reasons as clearly, and as fully, for stopping in the course of reformation, as for proceeding in it. My limits are the rules of law; the rules of policy; and the service of the state. This is the reason why I am not able to intermeddle with another article, which seems to be a specifick object in several of the petitions; I mean the reduction of exorbitant emoluments to efficient offices. If I knew of

* Duke of Newcastle, whose dining-room is under the house of commons.

of any real efficient office, which did possess exorbitant emoluments, I should be extremely desirous of reducing them. Others may know of them. I do not. I am not possessed of an exact common measure between real service and its reward. I am very sure, that states do sometimes receive services, which is hardly in their power to reward according to their worth. If I were to give my judgment with regard to this country, I do not think the great efficient offices of the state to be overpaid. The service of the publick is a thing which cannot be put to auction, and struck down to those who will agree to execute it the cheapest. When the proportion between reward and service is our object, we must always consider of what nature the service is, and what sort of men they are that must perform it. What is just payment for one kind of labour, and full encouragement for one kind of talents, is fraud and discouragement to others. Many of the great offices have much duty to do, and much expence of representation to maintain. A secretary of state, for instance, must not appear sordid in the eyes of the ministers of other nations; neither ought our ministers abroad to appear contemptible in the courts where they reside. In all offices of duty, there is, almost necessarily, a great neglect of all domestick affairs. A person in high office can rarely take a view of his family-house. If he sees that the state takes

takes no detriment, the state must see that his affairs should take as little.

I will even go so far as to affirm, that if men were willing to serve in such situations without salary, they ought not to be permitted to do it. Ordinary service must be secured by the motives to ordinary integrity. I do not hesitate to say, that that state which lays its foundation in rare and heroick virtues, will be sure to have its superstructure in the basest profligacy and corruption. An honourable and fair profit is the best security against avarice and rapacity; as in all things else, a lawful and regulated enjoyment is the best security against debauchery and excess. For as wealth is power, so all power will infallibly draw wealth to itself by some means or other: and when men are left no way of ascertaining their profits but by their means of obtaining them, those means will be increased to infinity. This is true in all the parts of administration, as well as in the whole. If any individual were to decline his appointments, it might give an unfair advantage to ostentatious ambition over unpretending service; it might breed invidious comparisons; it might tend to destroy whatever little unity and agreement may be found among ministers. And after all, when an ambitious man had run down his competitors by a fallacious show of disinterestedness, and fixed himself in power by that means, what

security

security is there that he would not change his course, and claim as an indemnity ten times more than he has given up?

This rule, like every other, may admit its exceptions. When a great man has some one great object in view to be achieved in a given time, it may be absolutely necessary for him to walk out of all the common roads, and if his fortune permits it, to hold himself out as a splendid example. I am told, that something of this kind is now doing in a country near us. But this is for a short race; the training for a heat or two, and not the proper preparation for the regular stages of a methodical journey. I am speaking of establishments and not of men.

It may be expected, Sir, that when I am giving my reasons why I limit myself in the reduction of employments, or of their profits, I should say something of those which seem of eminent inutility in the state; I mean the number of officers who by their places are attendant on the person of the king. Considering the commonwealth merely as such, and considering those officers only as relative to the direct purposes of the state, I admit that they are of no use at all. But there are many things in the constitution of establishments, which appear of little value on the first view, which in a secondary and oblique manner, produce very material advantages. It was on full consideration

that

that I determined not to lessen any of the offices of honour about the crown, in their number, or their emoluments. These emoluments, except in one or two cases, do not much more than answer the charge of attendance. Men of condition naturally love to be about a court; and women of condition love it much more. But there is in all regular attendance, so much of constraint, that if it were a mere charge, without any compensation, you would soon have the court deserted by all the nobility of the kingdom.

Sir, the most serious mischiefs would follow from such a desertion. Kings are naturally lovers of low company. They are so elevated above all the rest of mankind, that they must look upon all their subjects as on a level. They are rather apt to hate than to love their nobility, on account of the occasional resistance to their will, which will be made by their virtue, their petulance, or their pride. It must indeed be admitted, that many of the nobility are as perfectly willing to act the part of flatterers, tale-bearers, parasites, pimps, and buffoons, as any of the lowest and vilest of mankind can possibly be. But they are not properly qualified for this object of their ambition. The want of a regular education, and early habits, and some lurking remains of their dignity, will never permit them to become a match for an Italian eunuch, a mountebank, a fiddler, a player, or any

regular practitioner of that tribe. The Roman emperours almost from the beginning, threw themselves into such hands; and the mischief increased every day till the decline and final ruin of the empire. It is therefore of very great importance (provided the thing is not overdone) to contrive such an establishment as must, almost whether a prince will or not, bring into daily and hourly offices about his person, a great number of his first nobility; and it is rather an useful prejudice that gives them a pride in such a servitude. Though they are not much the better for a court, a court will be much the better for them. I have therefore not attempted to reform any of the offices of honour about the king's person.

There are, indeed, two offices in his stables which are sinecures. By the change of manners, and indeed by the nature of the thing, they must be so; I mean the several keepers of buck-hounds, stag-hounds, fox-hounds, and harriers. They answer no purpose of utility or of splendour. These I propose to abolish. It is not proper that great noblemen should be keepers of dogs, though they were the king's dogs. In every part of the scheme, I have endeavoured that no primary, and that even no secondary service of the state, should suffer by its frugality. I mean to touch no offices but such as I am perfectly sure are either of no use at all, or not of any use in the least assignable proportion to

to the burthen with which they load the revenues of the kingdom, and to the influence with which they oppress the freedom of parliamentary deliberation; for which reason there are but two offices which are properly state offices, that I have a desire to reform.

The first of them is the new office of *third secretary of state*, which is commonly called *secretary of state for the colonies*.

We know that all the correspondence of the colonies had been, until within a few years, carried on by the southern secretary of state; and that this department has not been shunned upon account of the weight of its duties; but on the contrary, much sought, on account of its patronage. Indeed he must be poorly acquainted with the history of office, who does not know how very lightly the American functions have always leaned on the shoulders of the ministerial *Atlas*, who has upheld that side of the sphere. Undoubtedly, great temper and judgment was requisite in the management of the colony politicks; but the official detail was a trifle. Since the new appointment, a train of unfortunate accidents has brought before us almost the whole correspondence of this favourite secretary's office, since the first day of its establishment. I will say nothing of its auspicious foundation; of the quality of its correspondence; or of the effects that have ensued from it. I speak merely

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of its *quantity*; which we know would have been little or no addition to the trouble of whatever office had its hands the fullest. But what has been the real condition of the old office of secretary of state? Have their velvet bags, and their red boxes, been so full, that nothing more could possibly be crammed into them?

A correspondence of a curious nature has been lately published *. In that correspondence, Sir, we find the opinion of a noble person, who is thought to be the grand manufacturer of administrations; and therefore the best judge of the quality of his work. He was of opinion, that there was but one man of diligence and industry in the whole administration—it was the late earl of Suffolk. The noble lord lamented very justly, that this statesman, of so much mental vigour, was almost wholly disabled from the exertion of it, by his bodily infirmities. Lord Suffolk, dead to the state, long before he was dead to nature, at last paid his tribute to the common treasury to which we must all be taxed. But so little want was found even of his intentional industry, that the office, vacant in reality to its duties long before, continued vacant even in nomination and appointment for a year after his death. The whole of the laborious and arduous correspondence of this empire, rested solely upon the activity and energy of lord Weymouth.

It

* Letters between Dr. Addington and Sir James Wright.

It is therefore demonstrable, since one diligent man was fully equal to the duties of the two offices, that two diligent men will be equal to the duty of three. The business of the new office which I shall propose to you to suppress, is by no means too much to be returned to either of the secretaries which remain. If this dust in the balance should be thought too heavy, it may be divided between them both; North America (whether free or reduced) to the northern secretary, the West Indies to the southern. It is not necessary that I should say more upon the inutility of this office. It is burning day-light. But before I have done, I shall just remark, that the history of this office is too recent to suffer us to forget, that it was made for the mere convenience of the arrangements of political intrigue, and not for the service of the state; that it was made, in order to give a colour to an exorbitant increase of the civil list; and in the same act to bring a new accession to the loaded compost heap of corrupt influence.

There is, Sir, another office which was not long since closely connected with this of the American secretary; but has been lately separated from it for the very same purpose for which it had been conjoined; I mean the sole purpose of all the separations and all the conjunctions that have been lately made—a job. I speak, Sir, of the *board of trade and plantations*. This board is a sort of temperate bed

bed of influence; a sort of gently ripening hot-house, where eight members of parliament receive salaries of a thousand a year, for a certain given time, in order to mature at a proper season, a claim to two thousand, granted for doing less, and on the credit of having toiled so long in that inferiour laborious department.

I have known that board, off and on, for a great number of years. Both of its pretended objects have been much the objects of my study, if I have a right to call any pursuits of mine by so respectable a name. I can assure the house, and I hope they will not think that I risk my little credit lightly, that, without meaning to convey the least reflection upon any one of its members past or present, —it is a board which, if not mischievous, is of no use at all.

You will be convinced, Sir, that I am not mistaken, if you reflect how generally it is true, that commerce, the principal object of that office, flourishes most when it is left to itself. Interest, the great guide of commerce, is not a blind one. It is very well able to find its own way; and its necessities are its best laws. But if it were possible, in the nature of things, that the young should direct the old, and the inexperienced instruct the knowing; if a board in the state was the best tutor for the counting-house; if the desk ought to read lectures to the anvil, and the pen to usurp the place

of the shuttle—yet in any matter of regulation, we know that board must act with as little authority as skill. The prerogative of the crown is utterly inadequate to the object; because all regulations are, in their nature, restrictive of some liberty. In the reign, indeed, of *Charles the First*, the council, or committees of council, were never a moment unoccupied, with affairs of trade. But even where they had no ill intention (which was sometimes the case) trade and manufacture suffered infinitely from their injudicious tamperings. But since that period, whenever regulation is wanting (for I do not deny, that sometimes it may be wanting) parliament constantly sits; and parliament alone is competent to such regulation. We want no instructions from boards of trade, or from any other board; and God forbid we should give the least attention to their reports. Parliamentary enquiry is the only mode of obtaining parliamentary information. There is more real knowledge to be obtained, by attending the detail of business in the committees above stairs, than ever did come, or ever will come from any board in this kingdom, or from all of them together. An assiduous member of parliament will not be the worse instructed there, for not being paid a thousand a year for learning his lesson. And now that I speak of the committees above stairs, I must say, that having till lately attended them a good deal, I have observed

observed that no description of members give so little attendance, either to communicate, or to obtain instruction upon matters of commerce, as the honourable members of the grave board of trade. I really do not recollect that I have ever seen one of them in that sort of business. Possibly some members may have better memories; and may call to mind some job that may have accidentally brought one or other of them, at one time or other, to attend a matter of commerce.

This board, Sir, has had both its original formation, and its regeneration, in a job. In a job it was conceived, and in a job its mother brought it forth. It made one among those showy and specious impositions, which one of the experiment-making administrations of *Charles the Second* held out to delude the people, and to be substituted in the place of the real service which they might expect from a parliament annually sitting. It was intended, also to corrupt that body whenever it should be permitted to sit. It was projected in the year 1668; and it continued in a tottering and rickety childhood for about three or four years, for it died in the year 1673, a babe of as little hopes as ever swelled the bills of mortality in the article of convulsed or over-laid children, who have hardly stepped over the threshold of life.

It was buried with little ceremony; and never more thought of, until the reign of *King William*,

when in the strange vicissitude of neglect and vigour, of good and ill success that attended his wars, in the year 1695, the trade was distressed beyond all example of former sufferings, by the piracies of the French cruisers. This suffering incensed, and, as it should seem, very justly incensed, the house of commons. In this ferment they struck, not only at the administration, but at the very constitution of the executive government. They attempted to form in parliament a board for the protection of trade; which, as they planned it, was to draw to itself a great part, if not the whole, of the functions and powers, both of the admiralty, and of the treasury; and thus, by a parliamentary delegation of office and officers, they threatened absolutely to separate these departments from the whole system of the executive government, and of course to vest the most leading and essential of its attributes in this board. As the executive government was in a manner convicted of a dereliction of its functions, it was with infinite difficulty, that this blow was warded off in that session. There was a threat to renew the same in the next. To prevent the effect of this manœuvre, the court opposed another manœuvre to it; and in the year 1696, called into life this board of trade, which had slept since 1673.

This, in a few words, is the history of the regeneration of the board of trade. It has perfectly answered

answered its purposes. It was intended to quiet the minds of the people, and to compose the ferment that was then strongly working in parliament. The courtiers were too happy to be able to substitute a board, which they knew would be useless, in the place of one that they feared would be dangerous. Thus the board of trade was reproduced in a job; and perhaps it is the only instance of a publick body, which has never degenerated; but to this hour preserves all the health and vigour of its primitive institution.

This board of trade and plantations has not been of any use to the colonies, as colonies; so little of use, that the flourishing settlements of New England, of Virginia, and of Maryland, and all our wealthy colonies in the West Indies, were of a date prior to the first board of Charles the Second. Pensylvania and Carolina were settled during its dark quarter, in the interval between the extinction of the first, and the formation of the second board. Two colonies alone owe their origin to that board. Georgia, which, till lately, has made a very slow progress; and never did make any progress at all, until it wholly got rid of all the regulations which the board of trade had moulded into its original constitution. That colony has cost the nation very great sums of money; whereas the colonies which have had the fortune of not being godfathered by the board of trade, never cost the nation a shilling,

except what has been so properly spent in losing them. But the colony of Georgia, weak as it was, carried with it to the last hour, and carries, even in its present dead pallid visage, the perfect resemblance of its parents. It always had, and it now has, an *establishment* paid by the publick of England, for the sake of the influence of the crown; that colony having never been able or willing to take upon itself the expence of its proper government, or its own appropriated jobs.

The province of Nova Scotia was the youngest and the favourite child of the board. Good God! what sums the nursing of that ill-thriven, hard-visaged, and ill-favoured brat, has cost to this wittol nation! Sir, this colony has stood us in a sum of not less than seven hundred thousand pounds. To this day it has made no repayment—It does not even support those offices of expence, which are miscalled its government; the whole of that job still lies upon the patient, callous shoulders of the people of England.

Sir, I am going to state a fact to you, that will serve to set in full sunshine the real value of formality and official superintendence. There was in the province of Nova Scotia, one little neglected corner, the country of the *neutral French*; which having the good fortune to escape the fostering care of both France and England, and to have been shut out from the protection and regulation

of

of councils of commerce, and of boards of trade, did, in silence, without notice, and without assistance, increase to a considerable degree. But it seems our nation had more skill and ability in destroying, than in settling a colony. In the last war we did, in my opinion, most inhumanly, and upon pretences that in the eye of an honest man are not worth a farthing, root out this poor innocent deserving people, whom our utter inability to govern, or to reconcile, gave us no sort of right to extirpate. Whatever the merits of that extirpation might have been, it was on the footsteps of a neglected people, it was on the fund of unconstrained poverty, it was on the acquisitions of unregulated industry, that any thing which deserves the name of a colony in that province, has been formed. It has been formed by overflowings from the exuberant population of New England, and by emigration from other parts of Nova Scotia of fugitives from the protection of the board of trade.

But if all of these things were not more than sufficient to prove to you the inutility of that expensive establishment, I will desire you to recollect, Sir, that those who may be very ready to defend it, are very cautious how they employ it; cautious how they employ it even in appearance and pretence. They are afraid they should lose the

the benefit of its influence in parliament, if they seemed to keep it up for any other purpose. If ever there were commercial points of great weight, and most closely connected with our dependencies, they are those which have been agitated and decided in parliament since I came into it. Which of the innumerable regulations since made had their origin or their improvement in the board of trade? Did any of the several East India bills which have been successively produced since 1767, originate there? Did any one dream of referring them, or any part of them, thither? Was any body so ridiculous as even to think of it? If ever there was an occasion on which the board was fit to be consulted, it was with regard to the acts that were preludes to the American war, or attendant on its commencement: those acts were full of commercial regulations, such as they were—the intercourse bill; the prohibitory bill; the fishery bill. If the board was not concerned in such things, in what particular was it thought fit that it should be concerned? In the course of all these bills through the house, I observed the members of that board to be remarkably cautious of intermeddling. They understood decorum better; they know that matters of trade and plantations are no business of theirs.

There were two very recent occasions, which, if

if the idea of any use for the board had not been extinguished by prescription, appeared loudly to call for their interference.

When commissioners were sent to pay his majesty's and our dutiful respects to the congress of the United States, a part of their powers under the commission were, it seems, of a commercial nature. They were authorized in the most ample and undefined manner, to form a commercial treaty with America on the spot. This was no trivial object. As the formation of such a treaty would necessarily have been no less than the breaking up our whole commercial system, and the giving it an entire new form; one would imagine, that the board of trade would have sat day and night, to model propositions, which, on our side, might serve as a basis to that treaty. No such thing. Their learned leisure was not in the least interrupted, though one of the members of the board was a commissioner, and might, in mere compliment to his office, have been supposed to make a show of deliberation on the subject. But he knew that his colleagues would have thought he laughed in their faces, had he attempted to bring any thing the most distantly relating to commerce or colonies before *them*. A noble person, engaged in the same commission, and sent to learn his commercial rudiments in New York, (then under the operation of an act for the universal prohibition of trade) was

was soon after put at the head of that board. This contempt from the present ministers of all the pretended functions of that board, and their manner of breathing into its very soul, of inspiring it with its animating and presiding principle, puts an end to all dispute concerning their opinion of the clay it was made of. But I will give them heaped measure.

It was but the other day, that the noble lord in the blue riband carried up to the house of peers, two acts, altering I think much for the better, but altering in a great degree, our whole commercial system. Those acts, I mean, for giving a free trade to Ireland in woollens and in all things else, with independent nations, and giving them an equal trade to our own colonies. Here too the novelty of this great, but arduous and critical improvement of system, would make you conceive that the anxious solicitude of the noble lord in the blue riband, would have wholly destroyed the plan of summer recreation of that board, by references to examine, compare, and digest matters for parliament—You would imagine, that Irish commissioners of customs, and English commissioners of customs, and commissioners of excise, that merchants and manufacturers of every denomination, had daily crowded their outer rooms. *Nil horum.* The perpetual virtual adjournment, and the unbroken sitting vacation of that board, was no more

more disturbed by the Irish than by the plantation commerce, or any other commerce. The same matter made a large part of the business which occupied the house for two sessions before; and as our ministers were not then mellowed by the mild, emollient, and engaging blandishments of our dear sister, into all the tenderness of unqualified surrender, the bounds and limits of a restrained benefit naturally required much detailed management and positive regulation. But neither the qualified propositions which were received, nor those other qualified propositions which were rejected by ministers, were the least concern of theirs, or were they ever thought of in the business.

It is therefore, Sir, on the opinion of parliament, on the opinion of the ministers, and even on their own opinion of their inutility, that I shall propose to you to *suppress the board of trade and plantations*; and to recommit all its business to the council from whence it was very improvidently taken; and which business (whatever it might be) was much better done, and without any expence; and indeed where in effect it may all come at last. Almost all that deserves the name of business there, is the reference of the plantation acts to the opinion of gentlemen of the law. But all this may be done, as the Irish business of the same nature has always been done, by the council, and with a reference to the attorney and solicitor general.

There

There are some regulations in the household, relative to the officers of the yeomen of the guards, and the officers and band of gentlemen pensioners, which I shall likewise submit to your consideration, for the purpose of regulating establishments, which at present are much abused.

I have now finished all, that for the present I shall trouble you with on the *plan of reduction.* I mean next to propose to you the *plan of arrangement,* by which I mean to appropriate and fix the civil list money to its several services according to their nature; for I am thoroughly sensible, that if a discretion, wholly arbitrary, can be exercised over the civil list revenue, although the most effectual methods may be taken to prevent the inferiour departments from exceeding their bounds, the plan of reformation will still be left very imperfect. It will not, in my opinion, be safe to permit an entirely arbitrary discretion even in the first lord of the treasury himself; it will not be safe to leave with him a power of diverting the public money from its proper objects, of paying it in an irregular course, or of inverting perhaps the order of time, dictated by the proportion of value, which ought to regulate his application of payment to service.

I am sensible too, that the very operation of a plan of œconomy which tends to exonerate the civil list of expensive establishments, may in some

sort defeat the capital end we have in view, the independence of parliament; and that in removing the publick and ostensible means of influence, we may increase the fund of private corruption. I have thought of some methods to prevent an abuse of surplus cash under discretionary application; I mean the heads of *secret service*, *special service*, *various payments*, and the like; which I hope, will answer, and which in due time I shall lay before you. Where I am unable to limit the quantity of the sums to be applied, by reason of the uncertain quantity of the service, I endeavour to confine it to its *line*; to secure an indefinite application to the definite service to which it belongs; not to stop the progress of expence in its line, but to confine it to that line in which it professes to move.

But that part of my plan, Sir, upon which I principally rest, that, on which I rely for the purpose of binding up, and securing the whole, is to establish a fixed and invariable order in all its payments, which it shall not be permitted to the first lord of the treasury, upon any pretence whatsoever, to depart from. I therefore divide the civil list payment into *nine* classes, putting each class forward according to the importance or justice of the demand, and to the inability of the persons entitled to enforce their pretensions; that is, to put those first who have the most efficient offices, or claim the

the justest debts; and, at the same time, from the character of that description of men, from the retiredness, or the remoteness of their situation, or from their want of weight and power to enforce their pretensions, or from their being entirely subject to the power of a minister, without any reciprocal power of aweing, ought to be the most considered, and are the most likely to be neglected; all these I place in the highest classes: I place in the lowest those whose functions are of the least importance, but whose persons or rank are often of the greatest power and influence.

In the first class I place the *judges*, as of the first importance. It is the publick justice that holds the community together; the ease, therefore, and independence of the judges ought to supersede all other considerations, and they ought to be the very last to feel the necessities of the state, or to be obliged either to court or bully a minister for their right: they ought to be as *weak solicitors on their own demands*, as strenuous assertors of the rights and liberties of others. The judges are, or ought to be, of a *reserved* and retired character, and wholly unconnected with the political world.

In the second class I place the foreign ministers. The judges are the links of our connexions with one another; the foreign ministers are the links of our connexion with other nations. They are not

not upon the spot to demand payment, and are therefore the most likely to be, as in fact they have sometimes been, entirely neglected, to the great disgrace, and perhaps the great detriment of the nation.

In the third class, I would bring all the tradesmen who supply the crown by contract, or otherwise.

In the fourth class, I place all the domestick servants of the king, and all persons in efficient offices, whose salaries do not exceed two hundred pounds a year.

In the fifth, upon account of honour, which ought to give place to nothing but charity and rigid justice, I would place the pensions and allowances of his majesty's royal family, comprehending of course the queen, together with the stated allowance of the privy purse.

In the sixth class, I place those efficient offices of duty, whose salaries may exceed the sum of two hundred pounds a year.

In the seventh class, that mixed mass the whole pension list.

In the eighth, the offices of hounor about the king.

In the ninth, and the last of all, the salaries and pensions of the first lord of the treasury himself, the chancellor of the exchequer, and the other commissioners of the treasury.

If by any possible mismanagement of that part of the revenue which is left at discretion, or by any other mode of prodigality, cash should be deficient for the payment of the lowest classes, I propose, that the amount of those salaries where the deficiency may happen to fall, shall not be carried as debt to the account of the succeeding year, but that it shall be entirely lapsed, sunk, and lost; so that government will be enabled to start in the race of every new year, wholly unloaded, fresh in wind and in vigour. Hereafter, no civil list debt can ever come upon the publick. And those who do not consider this as saving, because it is not a certain sum, do not ground their calculations of the future on their experience of the past.

I know of no mode of preserving the effectual execution of any duty, but to make it the direct interest of the executive officer that it shall be faithfully performed. Assuming, then, that the present vast allowance to the civil list is perfectly adequate to all its purposes, if there should be any failure, it must be from the mismanagement or neglect of the first commissioner of the treasury; since, upon the proposed plan, there can be no expence of any consequence, which he is not himself previously to authorize and finally to control. It is therefore just, as well as politick, that the loss should attach upon the delinquency.

If the failure from the delinquency should be

very considerable, it will fall on the class directly above the first lord of the treasury, as well as upon himself and his board. It will fall, as it ought to fall, upon offices of no primary importance in the state; but then it will fall upon persons, whom it will be a matter of no slight importance for a minister to provoke—it will fall upon persons of the first rank and consequence in the kingdom; upon those who are nearest to the king, and frequently have a more interiour credit with him than the minister himself. It will fall upon masters of the horse, upon lord chamberlains, upon lord stewards, upon grooms of the stole, and lords of the bedchamber. The household troops form an army, who will be ready to mutiny for want of pay, and whose mutiny will be *really* dreadful to a commander in chief. A rebellion of the thirteen lords of the bedchamber would be far more terrible to a minister, and would probably affect his power more to the quick, than a revolt of thirteen colonies. What an uproar such an event would create at court! What *petitions* and *committees*, and *associations*, would it not produce! Bless me! what a clattering of white sticks and yellow sticks would be about his head—what a storm of gold keys would fly about the ears of the minister—what a shower of Georges, and Thistles, and medals, and collars of S. S. would assail him at his first entrance into the antichamber, after an insolvent Christmas

quarter. A tumult which could not be appeased by all the harmony of the new year's ode. Rebellion it is certain there would be; and rebellion may not now indeed be so critical an event to those who engage in it, since its price is so correctly ascertained at just a thousand pound.

Sir, this classing, in my opinion, is a serious and solid security for the performance of a minister's duty. Lord Coke says, that the staff was put into the treasurer's hand to enable him to support himself when there was no money in the exchequer, and to beat away importunate solicitors. The method, which I propose, would hinder him from the necessity of such a broken staff to lean on, or such a miserable weapon for repulsing the demands of worthless suitors, who, the noble lord in the blue riband knows, will bear many hard blows on the head, and many other indignities, before they are driven from the treasury. In this plan, he is furnished with an answer to all their importunity; an answer far more conclusive, than if he had knocked them down with his staff—"Sir, (or my Lord) you are calling for my own "salary—Sir, you are calling for the appointments "of my colleagues who sit about me in office— "Sir, you are going to excite a mutiny at court "against me—you are going to estrange his ma- "jesty's confidence from me, through the cham- "berlain, or the master of the horse, or the groom "of the stole."

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As things now stand, every man, in proportion to his consequence at court, tends to add to the expence of the civil list, by all manner of jobs, if not for himself, yet for his dependents. When the new plan is established, those who are now suitors for jobs, will become the most strenuous opposers of them. They will have a common interest with the minister in publick œconomy. Every class, as it stands low, will become security for the payment of the preceding class; and thus the persons whose insignificant services defraud those that are useful, would then become interested in their payment. Then the powerful, instead of oppressing would be obliged to support the weak; and idleness would become concerned in the reward of industry. The whole fabrick of the civil œconomy would become compact and connected in all its parts; it would be formed into a well-organized body, where every member contributes to the support of the whole; and where even the lazy stomach secures the vigour of the active arm.

This plan, I really flatter myself, is laid, not in official formality, nor in airy speculation, but in real life, and in human nature, in what "comes "home (as Bacon says) to the business and bosoms "of men." You have now, Sir, before you, the whole of my scheme, as far as I have digested it into a form, that might be in any respect worthy

of your consideration.—I intend to lay it before you in five bills*. The plan consists, indeed, of many parts, but they stand upon a few plain principles. It is a plan which takes nothing from the civil list without discharging it of a burthen equal to the sum carried to the publick service. It weakens no one function necessary to government; but on the contrary, by appropriating supply to service, it gives it greater vigour. It provides the means of order and foresight to a minister of finance, which may always keep all the objects of his office, and their state, condition, and relations, distinctly before him. It brings forward accounts without hurrying and distressing the accountants; whilst it provides for publick convenience, it regards private rights. It extinguishes secret corruption almost to the possibility of its existence. It destroys direct and visible influence equal to the offices of at least fifty members of parliament. Lastly, it prevents the provision for his majesty's children, from being diverted to the political purposes of his minister.

These are the points, on which I rely for the merit of the plan: I pursue œconomy in a secondary view, and only as it is connected with these great objects. I am persuaded, that even for supply this scheme will be far from unfruitful, if it be executed to the extent I propose it. I think it

* Titles of the bills read.

it will give to the publick, at its periods, two or three hundred thousand pounds a year; if not, it will give them a system of œconomy, which is itself a great revenue. It gives me no little pride and satisfaction, to find that the principles of my proceedings are, in many respects, the very same with those which are now pursued in the plans of the French minister of finance. I am sure, that I lay before you a scheme easy and practicable in all its parts. I know it is common at once to applaud and to reject all attempts of this nature. I know it is common for men to say, that such and such things are perfectly right—very desirable; but that, unfortunately, they are not practicable. Oh! no, Sir, no. Those things which are not practicable, are not desirable. There is nothing in the world really beneficial, that does not lie within the reach of an informed understanding, and a well-directed pursuit. There is nothing that God has judged good for us, that he has not given us the means to accomplish, both in the natural and the moral world. If we cry, like children for the moon, like children we must cry on.

We must follow the nature of our affairs, and conform ourselves to our situation. If we do, our objects are plain and compassable. Why should we resolve to do nothing, because what I propose to you may not be the exact demand of the petition; when we are far from resolved to comply

even with what evidently is so? Does this sort of chicanery become us? The people are the masters. They have only to express their wants at large and in gross. We are the expert artists; we are the skilful workmen, to shape their desires into perfect form, and to fit the utensil to the use. They are the sufferers, they tell the symptoms of the complaint; but we know the exact seat of the disease, and how to apply the remedy according to the rules of art. How shocking would it be to see us pervert our skill, into a sinister and servile dexterity, for the purpose of evading our duty, and defrauding our employers, who are our natural lords, of the object of their just expectations. I think the whole not only practicable, but practicable in a very short time. If we are in earnest about it, and if we exert that industry, and those talents in forwarding the work, which I am afraid may be exerted in impeding it—I engage, that the whole may be put in complete execution within a year. For my own part, I have very little to recommend me for this or for any task, but a kind of earnest and anxious perseverance of mind, which, with all its good and all its evil effects, is moulded into my constitution. I faithfully engage to the house, if they choose to appoint me to any part in the execution of this work, which (when they have made it theirs by the improvements of their wisdom, will be worthy of the able assistance

assistance they may give me) that by night and by day, in town, or in country, at the desk, or in the forest, I will, without regard to convenience, ease, or pleasure, devote myself to their service, not expecting or admitting any reward whatsoever. I owe to this country my labour, which is my all; and I owe to it ten times more industry, if ten times more I could exert. After all I shall be an unprofitable servant.

At the same time, if I am able, and if I shall be permitted, I will lend an humble helping hand to any other good work which is going on. I have not, Sir, the frantick presumption to suppose, that this plan contains in it the whole of what the publick has a right to expect, in the great work of reformation they call for. Indeed it falls infinitely short of it. It falls short, even of my own ideas. I have some thoughts not yet fully ripened, relative to a reform in the customs and excise, as well as in some other branches of financial administration. There are other things too, which form essential parts in a great plan for the purpose of restoring the independence of parliament. The contractors bill of last year it is fit to revive; and I rejoice that it is in better hands than mine. The bill for suspending the votes of custom-house officers, brought into parliament several years ago, by one of our worthiest and wisest members*, (would

* W. Dowdeswell, Esq. chancellor of the exchequer, 1765.

(would to God we could along with the plan revive the person who designed it.) But a man of very real integrity, honour, and ability, will be found to take his place, and to carry his idea into full execution. You all see how necessary it is to review our military expences for some years past, and, if possible, to bind up and close that bleeding artery of profusion: but that business also, I have reason to hope, will be undertaken by abilities that are fully adequate to it. Something must be devised (if possible) to check the ruinous expence of elections.

Sir, all or most of these things must be done. Every one must take his part.

If we should be able by dexterity or power, or intrigue, to disappoint the expectations of our constituents, what will it avail us? We shall never be strong or artful enough to parry, or to put by the irresistible demands of our situation. That situation calls upon us, and upon our constituents too, with a voice which *will* be heard. I am sure no man is more zealously attached than I am to the privileges of this house, particularly in regard to the exclusive management of money. The lords have no right to the disposition, in any sense, of the public purse; but they have gone further in *self-denial than our utmost jealousy could have required. A power of examining accounts,

* Rejection of Lord Shelburne's motion in the house of lords.

accounts, to censure, correct, and punish, we never, that I know of, have thought of denying to the house of lords. It is something more than a century since we voted that body useless; they have now voted themselves so. The whole hope of reformation is at length cast upon *us*; and let us not deceive the nation, which does us the honour to hope every thing from our virtue. If *all* the nation are not equally forward to press this duty upon us, yet be assured, that they will equally expect we should perform it. The respectful silence of those who wait upon your pleasure, ought to be as powerful with you, as the call of those who require your service as their right. Some, without doors, affect to feel hurt for your dignity, because they suppose that menaces are held out to you. Justify their good opinion, by shewing that no menaces are necessary to stimulate you to your duty.—But, Sir, whilst we may sympathise with them, in one point, who sympathise with us in another, we ought to attend no less to those who approach us like men, and who, in the guise of petitioners, speak to us in the tone of a concealed authority. It is not wise to force them to speak out more plainly, what they plainly mean.—But the petitioners are violent. Be it so. Those who are least anxious about your conduct, are not those that love you most. Moderate affection, and satiated enjoyment, are cold and respectful; but

but an ardent and injured passion is tempered up with wrath, and grief, and shame, and conscious worth, and the maddening sense of violated right. A jealous love lights his torch from the firebrands of the furies.—They who call upon you to belong *wholly* to the people, are those who wish you to return to your *proper* home; to the sphere of your duty, to the post of your honour, to the mansion-house of all genuine, serene, and solid satisfaction. We have furnished to the people of England (indeed we have) some real cause of jealousy. Let us leave that sort of company which, if it does not destroy our innocence, pollutes our honour: let us free ourselves at once from every thing that can increase their suspicions, and inflame their just resentment; let us cast away from us, with a generous scorn, all the love-tokens and symbols that we have been vain and light enough to accept;—all the bracelets, and snuff-boxes, and miniature pictures, and hair devices, and all the other adulterous trinkets that are the pledges of our alienation, and the monuments of our shame. Let us return to our legitimate home, and all jars and all quarrels will be lost in embraces. Let the commons in parliament assembled, be one and the same thing with the commons at large. The distinctions that are made to separate us, are unnatural and wicked contrivances. Let us identify, let us incorporate ourselves with the people. Let us

cut

cut all the cables and snap the chains which tie us to an unfaithful shore, and enter the friendly harbour, that shoots far out into the main its moles and jettees to receive us.—" War with the world, and peace with our constituents." Be this our motto, and our principle. Then indeed, we shall be truly great. Respecting ourselves we shall be respected by the world. At present all is troubled and cloudy, and distracted, and full of anger and turbulence, both abroad and at home; but the air may be cleared by this storm, and light and fertility may follow it. Let us give a faithful pledge to the people, that we honour, indeed, the crown; but that we *belong* to them; that we are their auxiliaries, and not their task-masters; the fellow-labourers in the same vineyard, not lording over their rights, but helpers of their joy: that to tax them is a grievance to ourselves, but to cut off from our enjoyments to forward theirs, is the highest gratification we are capable of receiving. I feel with comfort, that we are all warmed with these sentiments, and while we are thus warm, I wish we may go directly and with a cheerful heart to this salutary work.

Sir, I move for leave to bring in a bill, " For " the better regulation of his majesty's civil " establishments, and of certain publick of- " fices; for the limitation of pensions, and the " suppression of sundry useless, expensive, and " inconvenient

" inconvenient places; and for applying the " monies saved thereby to the public ser- " vice*."

Lord North stated, that there was a difference between this bill for regulating the establishments, and some of the others, as they affected the ancient patrimony of the crown; and therefore wished them to be postponed, till the king's consent could be obtained. This distinction was strongly controverted; but when it was insisted on as a point of decorum *only*, it was agreed to postpone them to another day. Accordingly, on the Monday following, viz. February 14, leave was given, on the motion of Mr. Burke, without opposition, to bring in

1st, " A bill for the sale of the forest and other " crown lands, rents, and hereditaments, with cer- " tain exceptions; *and for applying the produce* " *thereof to the publick service*; and for securing, " ascertaining, and satisfying, *tenant-rights*, and " common and other rights."

2d, " A bill for the more perfectly uniting to " the crown the principality of Wales, and the " county palatine of Chester, and for the more " commodious administration of justice within the " same; as also for abolishing certain offices now " appertaining thereto; *for quieting dormant claims*, " *ascertaining and securing tenant-rights*; and for " the

* The motion was seconded by Mr. Fox.

" the sale of all the forest lands, and other lands, " tenements, and hereditaments, held by his majesty " in right of the said principality, or county pala- " tine of Chester, *and for applying the produce " thereof to the public service.*"

3d, " A bill for uniting to the crown the duchy " and county palatine of Lancaster; for the sup- " pression of unnecessary offices now belonging " thereto; for the *ascertainment and security of " tenant and other rights*; and for the sale of all " rents, lands, tenements, and hereditaments, and " forests, within the said duchy and county pala- " tine, or either of them; *and for applying the " produce thereof to the publick service.*"—*And it was ordered that* Mr. Burke, Mr. Fox, Lord John Cavendish, Sir George Savile, Colonel Barrè, Mr. Thomas Townshend, Mr. Byng, Mr. Dunning, Sir Joseph Mawbey, Mr. Recorder of London, Sir Robert Clayton, Mr. Frede ick Montagu, the Earl of Upper Ossory, Sir William Guise, and Mr. Gilbert, *do prepare and bring in the same.*

At the same time, Mr. Burke moved for leave to bring in—4th, " A bill for uniting the duchy " of Cornwall to the crown; for the suppression " of certain unnecessary offices now belonging " thereto; for the *ascertainment and security of te- " nant and other rights*; and for the sale of certain " rents, lands, and tenements, within or belonging " to

" to the said duchy; *and for applying the produce* " *thereof to the publick service.*"

But some objections being made by the surveyor general of the duchy, concerning the rights of the Prince of Wales, now in his minority, and Lord North remaining perfectly silent, Mr. Burke, at length, though he strongly contended against the principle of the objection, consented to withdraw this last motion for the *present*, to be renewed upon an early occasion.

MR. BURKE'S SPEECH

AT THE

GUILDHALL, IN BRISTOL,

PREVIOUS TO

THE LATE ELECTION IN THAT CITY,

UPON CERTAIN POINTS RELATIVE TO HIS

PARLIAMENTARY CONDUCT.

1780.

SPEECH, &c.

MR. MAYOR, AND GENTLEMEN,

I AM extremely pleased at the appearance of this large and respectable meeting. The steps I may be obliged to take will want the sanction of a considerable authority; and in explaining any thing which may appear doubtful in my publick conduct, I must naturally desire a very full audience.

I have been backward to begin my canvass.—The dissolution of the parliament was uncertain; and it did not become me, by an unseasonable importunity, to appear diffident of the fact of my six years endeavours to please you. I had served the city of Bristol honourably; and the city of Bristol had no reason to think, that the means of honourable service to the publick, were become indifferent to me.

I found on my arrival here, that three gentlemen had been long in eager pursuit of an object which but two of us can obtain. I found, that they had all met with encouragement. A contested election in such a city as this, is no light thing. I paused on the brink of the precipice. These three gentlemen, by various merits, and on various titles,

I made no doubt were worthy of your favour. I shall never attempt to raise myself by depreciating the merits of my competitors. In the complexity and confusion of these cross pursuits, I wished to take the authentick publick sense of my friends upon a business of so much delicacy. I wished to take your opinion along with me; that if I should give up the contest at the very beginning, my surrender of my post may not seem the effect of inconstancy, or timidity, or anger, or disgust, or indolence, or any other temper unbecoming a man who has engaged in the publick service. If, on the contrary, I should undertake the election, and fail of success, I was full as anxious, that it should be manifest to the whole world, that the peace of the city had not been broken by my rashness, presumption, or fond conceit of my own merit.

I am not come, by a false and counterfeit show of deference to your judgment, to seduce it in my favour. I ask it seriously and unaffectedly. If you wish that I should retire, I shall not consider that advice as a censure upon my conduct, or an alteration in your sentiments; but as a rational submission to the circumstances of affairs. If, on the contrary, you should think it proper for me to proceed on my canvass, if you will risk the trouble on your part, I will risk it on mine. My pretensions are such as you cannot be ashamed of, whether they succeed or fail.

If

If you call upon me, I shall solicit the favour of the city upon manly ground. I come before you with the plain confidence of an honest servant in the equity of a candid and discerning master. I come to claim your approbation, not to amuse you with vain apologies, or with professions still more vain and senseless. I have lived too long to be served by apologies, or to stand in need of them. The part I have acted has been in open day; and to hold out to a conduct, which stands in that clear and steady light for all its good and all its evil, to hold out to that conduct the paltry winking tapers of excuses and promises—I never will do it—They may obscure it with their smoke; but they never can illumine sunshine by such a flame as theirs.

I am sensible that no endeavours have been left untried to injure me in your opinion. But the use of character is to be a shield against calumny. I could wish, undoubtedly (if idle wishes were not the most idle of all things) to make every part of my conduct agreeable to every one of my constituents. But in so great a city, and so greatly divided as this, it is weak to expect it.

In such a discordancy of sentiments, it is better to look to the nature of things than to the humours of men. The very attempt towards pleasing every body, discovers a temper always flashy, and often false and insincere. Therefore, as I have

proceeded straight onward in my conduct, so I will proceed in my account of those parts of it which have been most excepted to. But I must first beg leave just to hint to you, that we may suffer very great detriment by being open to every talker. It is not to be imagined, how much of service is lost from spirits full of activity, and full of energy, who are pressing, who are rushing forward, to great and capital objects, when you oblige them to be continually looking back. Whilst they are defending one service, they defraud you of an hundred. Applaud us when we run; console us when we fall; cheer us when we recover; but let us pass on—for God's sake, let us pass on.

Do you think, gentlemen, that every publick act in the six years since I stood in this place before you—that all the arduous things which have been done in this eventful period, which has crowded into a few years space the revolutions of an age, can be opened to you on their fair grounds in half an hour's conversation?

But it is no reason, because there is a bad mode of inquiry, that there should be no examination at all. Most certainly it is our duty to examine; it is our interest too—But it must be with discretion; with an attention to all the circumstances, and to all the motives; like sound judges, and not like cavilling pettyfoggers and quibbling pleaders, prying into flaws and hunting for exceptions.—

Look, gentlemen, to the *whole tenour* of your member's conduct. Try whether his ambition or his avarice have justled him out of the straight line of duty; or whether that grand foe of the offices of active life, that master-vice in men of business, a degenerate and inglorious sloth, has made him flag and languish in his course? This is the object of our inquiry. If our member's conduct can bear this touch, mark it for sterling. He may have fallen into errours; he must have faults; but our errour is greater, and our fault is radically ruinous to ourselves, if we do not bear, if we do not even applaud, the whole compound and mixed mass of such a character. Not to act thus is folly; I had almost said it is impiety. He censures God, who quarrels with the imperfections of man.

Gentlemen, we must not be peevish with those who serve the people. For none will serve us whilst there is a court to serve, but those who are of a nice and jealous honour. They who think every thing, in comparison of that honour, to be dust and ashes, will not bear to have it soiled and impaired by those, for whose sake they make a thousand sacrifices to preserve it immaculate and whole. We shall either drive such men from the publick stage, or we shall send them to the court for protection: where, if they must sacrifice their reputation, they will at least secure their interest. Depend upon it, that the lovers of freedom will

be free. None will violate their conscience to please us, in order afterwards to discharge that conscience, which they have violated, by doing us faithful and affectionate service. If we degrade and deprave their minds by servility, it will be absurd to expect, that they who are creeping and abject towards us, will ever be bold and incorruptible assertors of our freedom, against the most seducing and the most formidable of all powers. No! human nature is not so formed; nor shall we improve the faculties or better the morals of publick men, by our possession of the most infallible receipt in the world for making cheats and hypocrites.

Let me say with plainness, I who am no longer in a publick character, that if by a fair, by an indulgent, by a gentlemanly behaviour to our representatives, we do not give confidence to their minds, and a liberal scope to their understandings; if we do not permit our members to act upon a *very* enlarged view of things; we shall at length infallibly degrade our national representation into a confused and scuffling bustle of local agency. When the popular member is narrowed in his ideas, and rendered timid in his proceedings, the service of the crown will be the sole nursery of statesmen. Among the frolicks of the court, it may at length take that of attending to its business. Then the monopoly of mental power will be added

to

to the power of all other kinds it possesses. On the side of the people there will be nothing but impotence: for ignorance is impotence; narrowness of mind is impotence; timidity is itself impotence, and makes all other qualities that go along with it, impotent and useless.

At present it is the plan of the court to make its servants insignificant. If the people should fall into the same humour, and should choose their servants on the same principles of mere obsequiousness, and flexibility, and total vacancy or indifference of opinion in all publick matters, then no part of the state will be sound; and it will be in vain to think of saving it.

I thought it very expedient at this time to give you this candid counsel; and with this counsel I would willingly close, if the matters which at various times have been objected to me in this city concerned only myself, and my own election. These charges, I think, are four in number;—my neglect of a due attention to my constituents, the not paying more frequent visits here;—my conduct on the affairs of the first Irish trade acts;—my opinion and mode of proceeding on lord Beauchamp's debtors bills;—and my votes on the late affairs of the Roman Catholicks. All of these (except perhaps the first) relate to matters of very considerable publick concern; and it is not lest you should censure me improperly, but lest you should form

form improper opinions on matters of some moment to you, that I trouble you at all upon the subject. My conduct is of small importance.

With regard to the first charge, my friends have spoken to me of it in the style of amicable expostulation; not so much blaming the thing, as lamenting the effects.—Others, less partial to me, were less kind in assigning the motives. I admit, there is a decorum and propriety in a member of parliament's paying a respectful court to his constituents. If I were conscious to myself that pleasure or dissipation, or low unworthy occupations, had detained me from personal attendance on you, I would readily admit my fault, and quietly submit to the penalty. But, gentlemen, I live at an hundred miles distance from Bristol; and at the end of a session I come to my own house, fatigued in body and in mind, to a little repose, and to a very little attention to my family and my private concerns. A visit to Bristol is always a sort of canvass; else it will do more harm than good. To pass from the toils of a session to the toils of a canvass, is the furthest thing in the world from repose. I could hardly serve you *as I have done*, and court you too. Most of you have heard, that I do not very remarkably spare myself in *publick* business; and in the *private* business of my constituents I have done very near as much as those who have nothing else to do. My canvass of you

was

was not on the 'change, nor in the county meetings, nor in the clubs of this city: It was in the house of commons; it was at the custom-house; it was at the council; it was at the treasury; it was at the admiralty. I canvassed you through your affairs, and not your persons. I was not only your representative as a body; I was the agent, the solicitor of individuals; I ran about wherever your affairs could call me; and in acting for you I often appeared rather as a ship broker, than as a member of parliament. There was nothing too laborious, or too low for me to undertake. The meanness of the business was raised by the dignity of the object. If some lesser matters have slipped through my fingers, it was because I filled my hands too full; and in my eagerness to serve you, took in more than any hands could grasp. Several gentlemen stand round me who are my willing witnesses; and there are others who, if they were here, would be still better; because they would be unwilling witnesses to the same truth. It was in the middle of a summer residence in London, and in the middle of a negotiation at the admiralty for your trade, that I was called to Bristol; and this late visit, at this late day, has been possibly in prejudice to your affairs.

Since I have touched upon this matter, let me say, gentlemen, that if I had a disposition, or a right to complain, I have some cause of complaint on my

my side. With a petition of this city in my hand, passed through the corporation without a dissenting voice, a petition in unison with almost the whole voice of the kingdom (with whose formal thanks I was covered over) while I laboured on no less than five bills for a public reform, and fought against the opposition of great abilities, and of the greatest power, every clause, and every word of the largest of those bills, almost to the very last day of a very long session; all this time a canvass in Bristol was as calmly carried on as if I were dead. I was considered as a man wholly out of the question. Whilst I watched, and fasted, and sweated in the house of commons—by the most easy and ordinary arts of election, by dinners and visits, by "How do you do's," and "My worthy friends," I was to be quietly moved out of my seat—and promises were made, and engagements entered into, without any exception or reserve, as if my laborious zeal in my duty had been a regular abdication of my trust.

To open my whole heart to you on this subject, I do confess, however, that there were other times besides the two years in which I did visit you, when I was not wholly without leisure for repeating that mark of my respect. But I could not bring my mind to see you. You remember, that in the beginning of this American war (that æra of calamity, disgrace, and downfall, an æra which

no

no feeling mind will ever mention without a tear for England) you were greatly divided; and a very strong body, if not the strongest, opposed itself to the madness which every art and every power were employed to render popular, in order that the errours of the rulers might be lost in the general blindness of the nation. This opposition continued until after our great, but most unfortunate victory at Long Island. Then all the mounds and banks of our constancy were borne down at once; and the phrensy of the American war broke in upon us like a deluge. This victory, which seemed to put an immediate end to all difficulties, perfected us in that spirit of domination, which our unparalleled prosperity had but too long nurtured. We had been so very powerful, and so very prosperous, that even the humblest of us were degraded into the vices and follies of kings. We lost all measure between means and ends; and our headlong desires became our politicks and our morals. All men who wished for peace, or retained any sentiments of moderation, were overborne or silenced; and this city was led by every artifice (and probably with the more management, because I was one of your members) to distinguish itself by its zeal for that fatal cause. In this temper of yours and of my mind, I should have sooner fled to the extremities of the earth, than have shewn myself here. I, who say in every American victory

victory (for you have had a long series of these misfortunes) the germ and seed of the naval power of France and Spain, which all our heat and warmth against America was only hatching into life,—I should not have been a welcome visitant with the brow and the language of such feelings. When afterwards, the other face of your calamity was turned upon you, and shewed itself in defeat and distress, I shunned you full as much. I felt sorely this variety in our wretchedness; and I did not wish to have the least appearance of insulting you with that show of superiority, which, though it may not be assumed, is generally suspected in a time of calamity, from those whose previous warnings have been despised. I could not bear to shew you a representative whose face did not reflect that of his constituents; a face that could not joy in your joys, and sorrow in your sorrows. But time at length has made us all of one opinion; and we have all opened our eyes on the true nature of the American war, to the true nature of all its successes and all its failures.

In that publick storm too I had my private feelings. I had seen blown down and prostrate on the ground several of those houses to whom I was chiefly indebted for the honour this city has done me. I confess, that whilst the wounds of those I loved were yet green, I could not bear to shew myself in pride and triumph in that place into which

which their partiality had brought me, and to appear at feasts and rejoicings, in the midst of the grief and calamity of my warm friends, my zealous supporters, my generous benefactors. This is a true, unvarnished, undisguised state of the affair. You will judge of it.

This is the only one of the charges in which I am personally concerned. As to the other matters objected against me, which in their turn I shall mention to you, remember once more I do not mean to extenuate or excuse. Why should I, when the things charged are among those upon which I found all my reputation? What would be left to me, if I myself was the man, who softened, and blended, and diluted, and weakened, all the distinguishing colours of my life, so as to leave nothing distinct and determinate in my whole conduct?

It has been said, and it is the second charge, that in the questions of the Irish trade, I did not consult the interest of my constituents; or, to speak out strongly, that I rather acted as a native of Ireland, than as an English member of parliament.

I certainly have very warm good wishes for the place of my birth. But the sphere of my duties is my true country. It was, as a man attached to your interests, and zealous for the conservation of your power and dignity, that I acted on that occasion,

occasion, and on all occasions. You were involved in the American war. A new world of policy was opened, to which it was necessary we should conform, whether we would or not; and my only thought was how to conform to our situation in such a manner as to unite to this kingdom, in prosperity and in affection, whatever remained of the empire. I was true to my old, standing, invariable principle, that all things, which came from Great Britain, should issue as a gift of her bounty and beneficence, rather than as claims recovered against a struggling litigant; or at least, that if your beneficence obtained no credit in your concessions, yet that they should appear the salutary provisions of your wisdom and foresight; not as things wrung from you with your blood, by the cruel gripe of a rigid necessity. The first concessions, by being (much against my will) mangled and stripped of the parts which were necessary to make out their just correspondence and connexion in trade, were of no use. The next year a feeble attempt was made to bring the thing into better shape. This attempt (countenanced by the minister) on the very first appearance of some popular uneasiness, was, after a considerable progress through the house, thrown out by *him.*

What was the consequence? The whole kingdom of Ireland was instantly in a flame. Threatened by foreigners, and, as they thought, insulted by

by England, they resolved at once to resist the power of France, and to cast off yours. As for us, we were able neither to protect nor to restrain them. Forty thousand men were raised and disciplined without commission from the crown. Two illegal armies were seen with banners displayed at the same time and in the same country. No executive magistrate, no judicature, in Ireland, would acknowledge the legality of the army which bore the king's commission; and no law, or appearance of law, authorized the army commissioned by itself. In this unexampled state of things, which the least errour, the least trespass on the right or left, would have hurried down the precipice into an abyss of blood and confusion, the people of Ireland demand a freedom of trade with arms in their hands. They interdict all commerce between the two nations. They deny all new supply in the house of commons, although in time of war. They stint the trust of the old revenue, given for two years to all the king's predecessors, to six months. The British parliament, in a former session, frightened into a limited concession by the menaces of Ireland, frightened out of it by the menaces of England, were now frightened back again, and made an universal surrender of all that had been thought the peculiar, reserved, uncommunicable rights of England;—the exclusive commerce of America, of Africa, of the West

Indies—all the enumerations of the acts of navigation—all the manufactures—iron, glass, even the last pledge of jealousy and pride, the interest hid in the secret of our hearts, the inveterate prejudice moulded into the constitution of our frame, even the sacred fleece itself, all went together. No reserve; no exception; no debate; no discussion. A sudden light broke in upon us all. It broke in, not through well-contrived and well-disposed windows, but through flaws and breaches; through the yawning chasms of our ruin. We were taught wisdom by humiliation. No town in England presumed to have a prejudice; or dared to mutter a petition. What was worse, the whole parliament of England, which retained authority for nothing but surrenders, was despoiled of every shadow of its superintendence. It was, without any qualification, denied in theory, as it had been trampled upon in practice. This scene of shame and disgrace has, in a manner whilst I am speaking, ended by the perpetual establishment of a military power in the dominions of this crown, without consent of the British legislature*, contrary to the policy of the constitution, contrary to the declaration of right: and by this your liberties are swept away along with your supreme authority—and both, linked together from the beginning,

* Irish perpetual mutiny act.

beginning, have, I am afraid, both together perished, for ever.

What! gentlemen, was I not to foresee, or, foreseeing, was I not to endeavour to save you from all these multiplied mischiefs and disgraces? Would the little, silly, canvass prattle of obeying instructions, and having no opinions but yours, and such idle senseless tales, which amuse the vacant ears of unthinking men, have saved you from "the pelting of that pitiless storm," to which the loose improvidence, the cowardly rashness, of those who dare not look danger in the face, so as to provide against it in time, and therefore throw themselves headlong into the midst of it, have exposed this degraded nation, beat down and prostrate on the earth, unsheltered, unarmed, unresisting? Was I an Irishman on that day, that I boldly withstood our pride? or on the day that I hung down my head, and wept in shame and silence over the humiliation of Great Britain? I became unpopular in England for the one, and in Ireland for the other. What then? What obligation lay on me to be popular? I was bound to serve both kingdoms. To be pleased with my service, was their affair, not mine.

I was an Irishman in the Irish business, just as much as I was an American, when, on the same principles, I wished you to concede to America, at a time when she prayed concession at our feet.

Just as much was I an American, when I wished parliament to offer terms in victory, and not to wait the well chosen hour of defeat, for making good by weakness, and by supplication, a claim of prerogative, pre-eminence, and authority.

Instead of requiring it from me, as a point of duty, to kindle with your passions, had you all been as cool as I was, you would have been saved disgraces and distresses that are unutterable. Do you remember our commission? We sent out a solemn embassy across the Atlantick ocean, to lay the crown, the peerage, the commons of Great Britain, at the feet of the American congress. That our disgrace might want no sort of brightening and burnishing; observe who they were that composed this famous embassy. My lord Carlisle is among the first ranks of our nobility. He is the identical man who but two years before had been put forward, at the opening of a session in the house of lords, as the mover of a haughty and rigorous address against America. He was put in the front of the embassy of submission. Mr. Eden was taken from the office of lord Suffolk, to whom he was then under secretary of state; from the office of that lord Suffolk, who but a few weeks before, in his place in parliament, did not deign to inquire where a congress of vagrants was to be found. This lord Suffolk sent Mr. Eden to find these vagrants, without knowing where this king's generals

generals were to be found, who were joined in the same commission of supplicating those whom they were sent to subdue. They enter the capital of America only to abandon it; and these assertors and representatives of the dignity of England, at the tail of a flying army, let fly their Parthian shafts of memorials and remonstrances at random behind them. Their promises and their offers, their flatteries and their menaces, were all despised; and we were saved the disgrace of their formal reception, only because the congress scorned to receive them; whilst the state-house of independent Philadelphia opened her doors to the publick entry of the ambassador of France. From war and blood we went to submission; and from submission plunged back again to war and blood; to desolate and be desolated, without measure, hope, or end. I am a Royalist, I blushed for this degradation of the crown. I am a Whig, I blushed for the dishonour of parliament. I am a true Englishman, I felt to the quick for the disgrace of England. I am a man, I felt for the melancholy reverse of human affairs, in the fall of the first power in the world.

To read what was approaching in Ireland, in the black and bloody characters of the American war, was a painful, but it was a necessary part of my publick duty. For, gentlemen, it is not your fond desires or mine that can alter the nature of things;

by contending against which, what have we got, or shall ever get, but defeat and shame? I did not obey your instructions: No. I conformed to the instructions of truth and nature, and maintained your interest, against your opinions, with a constancy that became me. A representative worthy of you, ought to be a person of stability. I am to look, indeed, to your opinions; but to such opinions as you and I *must* have five years hence. I was not to look to the flash of the day. I knew that you chose me, in my place, along with others, to be a pillar of the state, and not a weathercock on the top of the edifice, exalted for my levity and versatility, and of no use but to indicate the shiftings of every fashionable gale. Would to God, the value of my sentiments on Ireland and on America had been at this day a subject of doubt and discussion! No matter what my sufferings had been, so that this kingdom had kept the authority I wished it to maintain, by a grave foresight, and by an equitable temperance in the use of its power.

The next article of charge on my publick conduct, and that which I find rather the most prevalent of all, is, lord Beauchamp's bill. I mean his bill of last session, for reforming the law-process concerning imprisonment. It is said, to aggravate the offence, that I treated the petition of this city with contempt even in presenting it to the house, and expressed myself in terms of marked disrespect.

disrespect. Had this latter part of the charge been true, no merits on the side of the question which I took, could possibly excuse me. But I am incapable of treating this city with disrespect. Very fortunately, at this minute (if my bad eyesight does not deceive me) the worthy * gentleman deputed on this business stands directly before me. To him I appeal, whether I did not, though it militated with my oldest and my most recent publick opinions, deliver the petition with a strong, and more than usual recommendation to the consideration of the house, on account of the character and consequence of those who signed it. I believe the worthy gentleman will tell you, that the very day I received it, I applied to the solicitor, now the attorney general, to give it an immediate consideration; and he most obligingly and instantly consented to employ a great deal of his very valuable time to write an explanation of the bill. I attended the committee with all possible care and diligence, in order that every objection of yours might meet with a solution; or produce an alteration. I intreated your learned recorder (always ready in business in which you take a concern) to attend. But what will you say to those who blame me for supporting lord Beauchamp's bill, as a disrespectful treatment of your petition, when you hear, that out of respect to you, I myself was the

* Mr. Williams.

the cause of the loss of that very bill? for the noble lord who brought it in, and who, I must say, has much merit for this and some other measures, at my request consented to put it off for a week, which the speaker's illness lengthened to a fortnight; and then the frantick tumult about popery drove that and every rational business from the house. So that if I chose to make a defence of myself, on the little principles of a culprit, pleading in his exculpation, I might not only secure my acquittal, but make merit with the opposers of the bill. But I shall do no such thing. The truth is, that I did occasion the loss of the bill, and by a delay caused by my respect to you. But such an event was never in my contemplation. And I am so far from taking credit for the defeat of that measure, that I cannot sufficiently lament my misfortune, if but one man, who ought to be at large, has passed a year in prison by my means. I am a debtor to the debtors. I confess judgment. I owe what, if ever it be in my power, I shall most certainly pay,—ample atonement and usurious amends to liberty and humanity for my unhappy lapse. For, gentlemen, lord Beauchamp's bill was a law of justice and policy, as far as it went; I say as far as it went, for its fault was its being, in the remedial part, miserably defective.

There are two capital faults in our law with relation to civil debts. One is, that every man is presumed

presumed solvent. A presumption, in innumerable cases, directly against truth. Therefore the debtor is ordered, on a supposition of ability and fraud, to be coerced his liberty until he makes payment. By this means, in all cases of civil insolvency, without a pardon from his creditor, he is to be imprisoned for life:—and thus a miserable mistaken invention of artificial science, operates to change a civil into a criminal judgment, and to scourge misfortune or indiscretion with a punishment which the law does not inflict on the greatest crimes.

The next fault is, that the inflicting of that punishment is not on the opinion of an equal and publick judge; but is referred to the arbitrary discretion of a private, nay interested, and irritated, individual. He, who formally is, and substantially ought to be, the judge, is in reality no more than ministerial, a mere executive instrument of a private man, who is at once judge and party. Every idea of judicial order is subverted by this procedure. If the insolvency be no crime, why is it punished with arbitrary imprisonment? If it be a crime, why is it delivered into private hands to pardon without discretion, or to punish without mercy and without measure?

To these faults, gross and cruel facts in our law, the excellent principle of lord Beauchamp's bill applied some sort of remedy. I know that credit

credit must be preserved; but equity must be preserved too; and it is impossible that any thing should be necessary to commerce, which is inconsistent with justice. The principle of credit was not weakened by that bill. God forbid! The enforcement of that credit was only put into the same publick judicial hands on which we depend for our lives, and all that makes life dear to us. But, indeed, this business was taken up too warmly both here and elsewhere. The bill was extremely mistaken. It was supposed to enact what it never enacted; and complaints were made of clauses in it as novelties, which existed before the noble lord that brought in the bill was born. There was a fallacy that ran through the whole of the objections. The gentlemen who opposed the bill, always argued, as if the option lay between that bill and the ancient law.—But this is a grand mistake. For practically, the option is between, not that bill and the old law, but between that bill and those occasional laws, called acts of grace. For the operation of the old law is so savage, and so inconvenient to society, that for a long time past, once in every parliament, and lately twice, the legislature has been obliged to make a general arbitrary jail-delivery, and at once to set open, by its sovereign authority, all the prisons in England.

Gentlemen, I never relished acts of grace; nor ever

ever submitted to them but from despair of better. They are a dishonourable invention, by which, not from humanity, not from policy; but merely because we have not room enough to hold these victims of the absurdity of our laws, we turn loose upon the publick three or four thousand naked wretches, corrupted by the habits, debased by the ignominy, of a prison. If the creditor had a right to those carcasses as a natural security for his property, I am sure we have no right to deprive him of that security. But if the few pounds of flesh were not necessary to his security, we had not a right to detain the unfortunate debtor, without any benefit at all to the person who confined him.—Take it as you will, we commit injustice. Now lord Beauchamp's bill intended to do deliberately, and with great caution and circumspection, upon each several case, and with all attention to the just claimant, what acts of grace do in a much greater measure, and with very little care, caution, or deliberation.

I suspect that here too, if we contrive to oppose this bill, we shall be found in a struggle against the nature of things. For as we grow enlightened, the publick will not bear, for any length of time, to pay for the maintenance of whole armies of prisoners, nor, at their own expence, submit to keep jails as a sort of garrisons, merely to fortify the absurd principle of making men judges in their own

cause.

cause. For credit has little or no concern in this cruelty. I speak in a commercial assembly. You know that credit is given, because capital *must* be employed; that men calculate the chances of insolvency; and they either withhold the credit, or make the debtor pay the risk in the price. The counting-house has no alliance with the jail. Holland understands trade as well as we, and she has done much more than this obnoxious bill intended to do. There was not, when Mr. Howard visited Holland, more than one prisoner for debt in the great city of Rotterdam. Although lord Beauchamp's act (which was previous to this bill, and intended to feel the way for it) has already preserved liberty to thousands; and though it is not three years since the last act of grace passed, yet by Mr. Howard's last account, there were near three thousand again in jail. I cannot name this gentleman without remarking, that his labours and writings have done much to open the eyes and hearts of mankind. He has visited all Europe,—not to survey the sumptuousness of palaces, or the stateliness of temples; not to make accurate measurements of the remains of ancient grandeur, nor to form a scale of the curiosity of modern art; not to collect medals, or collate manuscripts:—but to dive into the depths of dungeons; to plunge into the infection of hospitals; to survey the mansions of sorrow and pain; to take the gauge and dimensions

dimensions of misery, depression, and contempt; to remember the forgotten, to attend to the neglected, to visit the forsaken, and to compare and collate the distresses of all men in all countries. His plan is original; and it is as full of genius as it is of humanity. It was a voyage of discovery; a circumnavigation of charity. Already the benefit of his labour is felt more or less in every country: I hope he will anticipate his final reward, by seeing all its effects fully realized in his own. He will receive, not by detail but in gross, the reward of those who visit the prisoner; and he has so forestalled and monopolized this branch of charity, that there will be, I trust, little room to merit by such acts of benevolence hereafter.

Nothing now remains to trouble you with, but the fourth charge against me—the business of the Roman Catholicks. It is a business closely connected with the rest. They are all on one and the same principle. My little scheme of conduct, such as it is, is all arranged. I could do nothing but what I have done on this subject, without confounding the whole train of my ideas, and disturbing the whole order of my life. Gentlemen, I ought to apologize to you, for seeming to think any thing at all necessary to be said upon this matter. The calumny is fitter to be scrawled with the midnight chalk of incendiaries, with "No popery," on walls and doors of devoted houses, than to be mentioned in

in any civilized company. I had heard, that the spirit of discontent on that subject was very prevalent here. With pleasure I find that I have been grossly misinformed. If it exists at all in this city, the laws have crushed its exertions, and our morals have shamed its appearance in day-light. I have pursued this spirit wherever I could trace it; but it still fled from me. It was a ghost which all had heard of, but none had seen. None would acknowledge that he thought the publick proceeding with regard to our Catholick dissenters to be blameable; but several were sorry it had made an ill impression upon others, and that my interest was hurt by my share in the business. I find with satisfaction and pride, that not above four or five in this city (and I dare say these misled by some gross misrepresentation) have signed that symbol of delusion and bond of sedition, that libel on the national religion and English character, the Protestant Association. It is therefore, gentlemen, not by way of cure but of prevention, and lest the arts of wicked men may prevail over the integrity of any one amongst us, that I think it necessary to open to you the merits of this transaction pretty much at large; and I beg your patience upon it: for, although the reasonings that have been used to depreciate the act are of little force, and though the authority of the men concerned in this ill design is not very imposing; yet

the audaciousness of these conspirators against the national honour, and the extensive wickedness of their attempts, have raised persons of little importance to a degree of evil eminence, and imparted a sort of sinister dignity to proceedings that had their origin in only the meanest and blindest malice.

In explaining to you the proceedings of parliament which have been complained of, I will state to you,—first, the thing that was done;—next, the persons who did it;—and lastly, the grounds and reasons upon which the legislature proceeded in this deliberate act of publick justice and publick prudence.

Gentlemen, the condition of our nature is such, that we buy our blessings at a price. The Reformation, one of the greatest periods of human improvement, was a time of trouble and confusion. The vast structures of superstition and tyranny, which had been for ages in rearing, and which was combined with the interest of the great and of the many; which was moulded into the laws, the manners, and civil institutions of nations, and blended with the frame and policy of states; could not be brought to the ground without a fearful struggle; nor could it fall without a violent concussion of itself and all about it. When this great revolution was attempted in a more regular mode by government, it was opposed by plots and seditions

seditions of the people; when by popular efforts, it was repressed as rebellion by the hand of power; and bloody executions (often bloodily returned) marked the whole of its progress through all its stages. The affairs of religion, which are no longer heard of in the tumult of our present contentions, made a principal ingredient in the wars and politicks of that time; the enthusiasm of religion threw a gloom over the politicks; and political interests poisoned and perverted the spirit of religion upon all sides. The Protestant religion in that violent struggle, infected, as the Popish had been before, by worldly interest and worldly passions, became a persecutor in its turn, sometimes of the new sects, which carried their own principles further than it was convenient to the original reformers; and always of the body from whom they parted; and this persecuting spirit arose, not only from the bitterness of retaliation, but from the merciless policy of fear.

It was long before the spirit of true piety and true wisdom, involved in the principles of the Reformation, could be depurated from the dregs and feculence of the contention with which it was carried through. However, until this be done, the Reformation is not complete; and those who think themselves good Protestants, from their animosity to others, are in that respect no Protestants at all. It was at first thought necessary, perhaps,

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to oppose to Popery another Popery, to get the better of it. Whatever was the cause, laws were made in many countries, and in this kingdom in particular, against Papists, which are as bloody as any of those which had been enacted by the popish princes and states; and where those laws were not bloody, in my opinion, they were worse; as they were slow, cruel outrages on our nature, and kept men alive only to insult in their persons every one of the rights and feelings of humanity. I pass those statutes, because I would spare your pious ears the repetition of such shocking things; and I come to that particular law, the repeal of which has produced so many unnatural and unexpected consequences.

A statute was fabricated in the year 1699, by which the saying mass (a church-service in the Latin tongue, not exactly the same as our liturgy, but very near it, and containing no offence whatsoever against the laws, or against good morals) was forged into a crime punishable with perpetual imprisonment. The teaching school, an useful and virtuous occupation, even the teaching in a private family, was in every Catholick subjected to the same unproportioned punishment. Your industry, and the bread of your children, was taxed for a pecuniary reward to stimulate avarice to do what nature refused, to inform and prosecute on this law. Every Roman Catholick was under the

same act, to forfeit his estate to his nearest Protestant relation, until, through a profession of what he did not believe, he redeemed by his hypocrisy, what the law had transferred to the kinsman as the recompense of his profligacy. When thus turned out of doors from his paternal estate, he was disabled from acquiring any other by any industry, donation, or charity; but was rendered a foreigner in his native land, only because he retained the religion, along with the property, handed down to him from those who had been the old inhabitants of that land before him.

Does any one who hears me, approve this scheme of things, or think there is common justice, common sense, or common honesty in any part of it? If any does, let him say it, and I am ready to discuss the point with temper and candour. But instead of approving, I perceive a virtuous indignation beginning to rise in your minds on the mere cold stating of the statute.

But what will you feel, when you know from history how this statute passed, and what were the motives, and what the mode of making it? A party in this nation, enemies to the system of the revolution, were in opposition to the government of king William. They knew that our glorious deliverer was an enemy to all persecution. They knew that he came to free us from slavery and popery, out of a country, where a third of the people

are

are contented Catholicks under a Protestant government. He came with a part of his army composed of those very Catholicks, to overset the power of a popish prince. Such is the effect of a tolerating spirit: and so much is liberty served in every way, and by all persons, by a manly adherence to its own principles. Whilst freedom is true to itself, every thing becomes subject to it; and its very adversaries are an instrument in its hands.

The party I speak of (like some amongst us who would disparage the best friends of their country) resolved to make the king either violate his principles of toleration, or incur the odium of protecting Papists. They therefore brought in this bill, and made it purposely wicked and absurd that it might be rejected. The then court-party, discovering their game, turned the tables on them, and returned their bill to them stuffed with still greater absurdities, that its loss might lie upon its original authors. They, finding their own ball thrown back to them, kicked it back again to their adversaries. And thus this act, loaded with the double injustice of two parties, neither of whom intended to pass, what they hoped the other would be persuaded to reject, went through the legislature, contrary to the real wish of all parts of it, and of all the parties that composed it. In this manner these insolent and profligate factions, as if they were playing with balls and counters, made a sport of

the fortunes and the liberties of their fellow-creatures. Other acts of persecution have been acts of malice. This was a subversion of justice from wantonness and petulance. Look into the history of bishop Burnet. He is a witness without exception.

The effects of the act have been as mischievous, as its origin was ludicrous and shameful. From that time every person of that communion, lay and ecclesiastick, has been obliged to fly from the face of day. The clergy, concealed in garrets of private houses, or obliged to take a shelter (hardly safe to themselves, but infinitely dangerous to their country) under the privileges of foreign ministers, officiated as their servants, and under their protection. The whole body of the Catholicks, condemned to beggary and to ignorance in their native land, have been obliged to learn the principles of letters, at the hazard of all their other principles, from the charity of your enemies. They have been taxed to their ruin at the pleasure of necessitous and profligate relations, and according to the measure of their necessity and profligacy. Examples of this are many and affecting. Some of them are known by a friend who stands near me in this hall. It is but six or seven years since a clergyman of the name of Malony, a man of morals, neither guilty nor accused of any thing noxious to the state, was condemned to perpetual imprisonment

imprisonment for exercising the functions of his religion; and after lying in jail two or three years, was relieved by the mercy of government from perpetual imprisonment, on condition of perpetual banishment. A brother of the earl of Shrewsbury, a Talbot, a name respectable in this country, whilst its glory is any part of its concern, was hauled to the bar of the Old Bailey, among common felons, and only escaped the same doom, either by some errour in the process, or that the wretch who brought him there could not correctly describe his person; I now forget which.—In short, the persecution would never have relented for a moment, if the judges, superseding (though with an ambiguous example) the strict rule of their artificial duty by the higher obligation of their conscience, did not constantly throw every difficulty in the way of such informers. But so ineffectual is the power of legal evasion against legal iniquity, that it was but the other day, that a lady of condition, beyond the middle of life, was on the point of being stripped of her whole fortune by a near relation, to whom she had been a friend and benefactor: and she must have been totally ruined, without a power of redress or mitigation from the courts of law, had not the legislature itself rushed in, and by a special act of parliament rescued her from the injustice of its own statutes. One of the acts authorizing such things was that

which we in part repealed, knowing what our duty was; and doing that duty as men of honour and virtue, as good Protestants, and as good citizens. Let him stand forth that disapproves what we have done!

Gentlemen, bad laws are the worst sort of tyranny. In such a country as this they are of all bad things the worst, worse by far than any where else; and they derive a particular malignity even from the wisdom and soundness of the rest of our institutions. For very obvious reasons you cannot trust the crown with a dispensing power over any of your laws. However, a government, be it as bad as it may, will in the exercise of a discretionary power, discriminate times and persons; and will not ordinarily pursue any man, when its own safety is not concerned. A mercenary informer knows no distinction. Under such a system, the obnoxious people are slaves, not only to the government, but they live at the mercy of every individual; they are at once the slaves of the whole community, and of every part of it; and the worst and most unmerciful men are those on whose goodness they most depend.

In this situation men not only shrink from the frowns of a stern magistrate; but they are obliged to fly from their very species. The seeds of destruction are sown in civil intercourse, in social habitudes. The blood of wholesome kindred is

infected. Their tables and beds are surrounded with snares. All the means given by Providence to make life safe and comfortable, are perverted into instruments of terrour and torment. This species of universal subserviency, that makes the very servant who waits behind your chair, the arbiter of your life and fortune, has such a tendency to degrade and abase mankind, and to deprive them of that assured and liberal state of mind, which alone can make us what we ought to be, that I vow to God I would sooner bring myself to put a man to immediate death for opinions I disliked, and so to get rid of the man and his opinions at once, than to fret him with a feverish being, tainted with the jail-distemper of a contagious servitude, to keep him above ground an animated mass of putrefaction, corrupted himself, and corrupting all about him.

The act repealed was of this direct tendency; and it was made in the manner which I have related to you. I will now tell you by whom the bill of repeal was brought into parliament. I find it has been industriously given out in this city (from kindness to me, unquestionably) that I was the mover or the seconder. The fact is, I did not once open my lips on the subject during the whole progress of the bill. I do not say this as disclaiming my share in that measure. Very far from it. I inform you of this fact, lest I should seem to

arrogate to myself the merits which belong to others. To have been the man chosen out to redeem our fellow citizens from slavery; to purify our laws from absurdity and injustice; and to cleanse our religion from the blot and stain of persecution, would be an honour and happiness to which my wishes would undoubtedly aspire; but to which nothing but my wishes could have possibly entitled me. That great work was in hands in every respect far better qualified than mine. The mover of the bill was Sir George Savile.

When an act of great and signal humanity was to be done, and done with all the weight and authority that belonged to it, the world could cast its eyes upon none but him. I hope that few things which have a tendency to bless or to adorn life, have wholly escaped my observation in my passage through it. I have sought the acquaintance of that gentleman, and have seen him in all situations. He is a true genius; with an understanding vigorous, and acute, and refined, and distinguishing even to excess; and illuminated with a most unbounded, peculiar, and original cast of imagination. With these he possesses many external and instrumental advantages; and he makes use of them all. His fortune is among the largest; a fortune which, wholly unincumbered, as it is, with one single charge from luxury, vanity, or excess, sinks under the benevolence of its dispenser.

This

This private benevolence, expanding itself into patriotism, renders his whole being the estate of the public, in which he has not reserved a *peculium* for himself of profit, diversion, or relaxation. During the session, the first in, and the last out of the house of commons; he passes from the senate to the camp; and seldom seeing the seat of his ancestors, he is always in the senate to serve his country, or in the field to defend it. But in all well-wrought compositions, some particulars stand out more eminently than the rest; and the things which will carry his name to posterity, are his two bills; I mean that for a limitation of the claims of the crown upon landed estates; and this for the relief of the Roman Catholicks. By the former, he has emancipated property; by the latter he has quieted conscience; and by both, he has taught that grand lesson to government and subject,—no longer to regard each other as adverse parties.

Such was the mover of the act that is complained of by men, who are not quite so good as he is; an act, most assuredly not brought in by him from any partiality to the sect which is the object of it. For, among his faults, I really cannot help reckoning a greater degree of prejudice against that people, than becomes so wise a man. I know that he inclines to a sort of disgust, mixed with a considerable degree of asperity, to the system; and he has few, or rather no habits with any of its professors.

professors. What he has done was on quite other motives. The motives were these, which he declared in his excellent speech on his motion for the bill; namely, his extreme zeal to the Protestant religion, which he thought utterly disgraced by the act of 1699; and his rooted hatred to all kind of oppression, under any colour, or upon any pretence whatsoever.

The seconder was worthy of the mover, and the motion. I was not the seconder; it was Mr. Dunning, Recorder of this city. I shall say the less of him, because his near relation to you makes you more particularly acquainted with his merits. But I should appear little acquainted with them, or little sensible of them, if I could utter his name on this occasion without expressing my esteem for his character. I am not afraid of offending a most learned body, and most jealous of its reputation for that learning, when I say he is the first of his profession. It is a point settled by those who settle every thing else; and I must add (what I am enabled to say from my own long and close observation) that there is not a man, of any profession, or in any situation, of a more erect and independent spirit; of a more proud honour; a more manly mind; a more firm and determined integrity. Assure yourselves, that the names of two such men will bear a great load of prejudice in the other scale, before they can be entirely outweighed.

With

With this mover, and this seconder, agreed the *whole* house of commons; the *whole* house of lords; the *whole* bench of bishops; the king; the ministry; the opposition; all the distinguished clergy of the establishment; all the eminent lights (for they were consulted) of the dissenting churches. This according voice of national wisdom ought to be listened to with reverence. To say that all these descriptions of Englishmen unanimously concurred in a scheme for introducing the Catholick religion, or that none of them understood the nature and effects of what they were doing, so well as a few obscure clubs of people, whose names you never heard of, is shamelessly absurd. Surely it is paying a miserable compliment to the religion we profess, to suggest, that every thing eminent in the kingdom is indifferent, or even adverse to that religion, and that its security is wholly abandoned to the zeal of those, who have nothing but their zeal to distinguish them. In weighing this unanimous concurrence of whatever the nation has to boast of, I hope you will recollect, that all these concurring parties do by no means love one another enough to agree in any point, which was not, both evidently, and importantly, right.

To prove this; to prove, that the measure was both clearly and materially proper, I will next lay before you (as I promised) the political grounds and reasons for the repeal of that penal statute; and

and the motives to its repeal at that particular time.

Gentlemen, America——when the English nation seemed to be dangerously, if not irrecoverably, divided; when one, and that the most growing branch, was torn from the parent stock, and ingrafted on the power of France, a great terrour fell upon this kingdom. On a sudden we awakened from our dreams of conquest, and saw ourselves threatened with an immediate invasion; which we were at that time very ill prepared to resist. You remember the cloud that gloomed over us all. In that hour of our dismay, from the bottom of the hiding places, into which the indiscriminate rigour of our statutes had driven them, came out the body of the Roman catholicks. They appeared before the steps of a tottering throne, with one of the most sober, measured, steady, and dutiful addresses that was ever presented to the crown. It was no holiday ceremony; no anniversary compliment of parade and show. It was signed by almost every gentleman of that persuasion, of note or property, in England. At such a crisis, nothing but a decided resolution to stand or fall with their country could have dictated such an address; the direct tendency of which was to cut off all retreat; and to render them peculiarly obnoxious to an invader of their own communion. The address shewed what I long languished

languished to see, that all the subjects of England had cast off all foreign views and connexions, and that every man looked for his relief from every grievance, at the hands only of his own natural government.

It was necessary, on our part, that the natural government should shew itself worthy of that name. It was necessary, at the crisis I speak of, that the supreme power of the state should meet the conciliatory dispositions of the subject. To delay protection would be to reject allegiance. And why should it be rejected, or even coldly and suspiciously received? If any independent Catholick state should choose to take part with this kingdom in a war with France and Spain, that bigot (if such a bigot could be found) would be heard with little respect, who could dream of objecting his religion to an ally, whom the nation would not only receive with its freest thanks, but purchase with the last remains of its exhausted treasure. To such an ally we should not dare to whisper a single syllable of those base and invidious topicks, upon which, some unhappy men would persuade the state, to reject the duty and allegiance of its own members. Is it then because foreigners are in a condition to set our malice at defiance, that with *them*, we are willing to contract engagements of friendship, and to keep them with fidelity and honour; but that, because we conceive

some

some descriptions of our countrymen are not powerful enough to punish our malignity, we will not permit them to support our common interest? Is it on that ground, that our anger is to be kindled by their offered kindness? Is it on that ground, that they are to be subjected to penalties, because they are willing, by actual merit, to purge themselves from imputed crimes? Lest by an adherence to the cause of their country, they should acquire a title to fair and equitable treatment, are we resolved to furnish them with causes of eternal enmity; and rather supply them with just and founded motives to disaffection, than not to have that disaffection in existence to justify an oppression, which, not from policy but disposition, we have predetermined to exercise?

What shadow of reason could be assigned, why, at a time, when the most Protestant part of this Protestant empire found it for its advantage to unite with the two principal Popish states, to unite itself in the closest bonds with France and Spain, for our destruction, that we should refuse to unite with our own Catholick countrymen for our own preservation? Ought we, like madmen, to tear off the plasters, that the lenient hand of prudence had spread over the wounds and gashes, which in our delirium of ambition we had given to our own body? No person ever reprobated the American war more than I did, and do, and ever shall.

But

But I never will consent that we should lay additional voluntary penalties on ourselves, for a fault which carries but too much of its own punishment in its own nature. For one, I was delighted with the proposal of internal peace. I accepted the blessing with thankfulness and transport; I was truly happy to find *one* good effect of our civil distractions, that they had put an end to all religious strife and heart-burning in our own bowels. What must be the sentiments of a man, who would wish to perpetuate domestick hostility, when the causes of dispute are at an end; and who, crying out for peace with one part of the nation on the most humiliating terms, should deny it to those, who offer friendship without any terms at all?

But if I was unable to reconcile such a denial to the contracted principles of local duty, what answer could I give to the broad claims of general humanity? I confess to you freely, that the sufferings and distresses of the people of America in this cruel war, have at times affected me more deeply than I can express. I felt every Gazette of triumph as a blow upon my heart, which has an hundred times sunk and fainted within me at all the mischiefs brought upon those who bear the whole brunt of war in the heart of their country. Yet the Americans are utter strangers to me; a nation among whom I am not sure that I have a single acquaintance.

acquaintance. Was I to suffer my mind to be so unaccountably warped; was I to keep such iniquitous weights and measures of temper and of reason, as to sympathize with those who are in open rebellion against an authority which I respect, at war with a country which by every title ought to be, and is most dear to me; and yet to have no feeling at all for the hardships and indignities suffered by men, who by their very vicinity, are bound up in a nearer relation to us; who contribute their share, and more than their share, to the common prosperity; who perform the common offices of social life, and who obey the laws to the full as well as I do? Gentlemen, the danger to the state being out of the question (of which, let me tell you, statesmen themselves are apt to have but too exquisite a sense) I could assign no one reason of justice, policy, or feeling, for not concurring most cordially, as most cordially I did concur, in softening some part of that shameful servitude under which several of my worthy fellow-citizens were groaning.

Important effects followed this act of wisdom. They appeared at home and abroad, to the great benefit of this kingdom; and, let me hope, to the advantage of mankind at large. It betokened union among ourselves. It shewed soundness, even on the part of the persecuted, which generally is the weak side of every community. But its

its most essential operation was not in England. The act was immediately, though very imperfectly, copied in Ireland; and this imperfect transcript of an imperfect act, this first faint sketch of toleration, which did little more than disclose a principle, and mark out a disposition, completed in a most wonderful manner the re-union to the state, of all the Catholicks of that country. It made us, what we ought always to have been, one family, one body, one heart and soul, against the family-combination, and all other combinations of our enemies. We have indeed obligations to that people, who received such small benefits with so much gratitude; and for which gratitude and attachment to us, I am afraid they have suffered not a little in other places.

I dare say, you have all heard of the privileges indulged to the Irish Catholicks residing in Spain. You have likewise heard with what circumstances of severity they have been lately expelled from the sea-ports of that kingdom; driven into the inland cities; and there detained as a sort of prisoners of state. I have good reason to believe, that it was the zeal to our government and our cause, (somewhat indiscreetly expressed in one of the addresses of the Catholicks of Ireland) which has thus drawn down on their heads the indignation of the court of Madrid; to the inexpressible loss of several individuals, and in future, perhaps, to the

great detriment of the whole of their body. Now that our people should be persecuted in Spain for their attachment to this country, and persecuted in this country for their supposed enmity to us, is such a jarring reconciliation of contradictory distresses, is a thing at once so dreadful and ridiculous, that no malice short of diabolical, would wish to continue any human creatures in such a situation. But honest men will not forget either their merit or their sufferings. There are men, (and many, I trust, there are) who, out of love to their country and their kind, would torture their invention to find excuses for the mistakes of their brethren; and who, to stifle dissension, would construe, even doubtful appearances, with the utmost favour: such men will never persuade themselves to be ingenious and refined in discovering disaffection and treason in the manifest palpable signs of suffering loyalty. Persecution is so unnatural to them, that they gladly snatch the very first opportunity of laying aside all the tricks and devices of penal politicks; and of returning home, after all their irksome and vexatious wanderings, to our natural family mansion, to the grand social principle, that unites all men, in all descriptions, under the shadow of an equal and impartial justice.

Men of another sort, I mean the bigotted enemies to liberty, may, perhaps, in their politicks, make

make no account of the good or ill affection of the Catholicks of England, who are but an handful of people (enough to torment, but not enough to fear) perhaps not so many, of both sexes and of all ages, as fifty thousand. But, gentlemen, it is possible you may not know, that the people of that persuasion in Ireland amount at least to sixteen or seventeen hundred thousand souls. I do not at all exaggerate the number. A *nation* to be persecuted! Whilst we were masters of the sea, embodied with America, and in alliance with half the powers of the continent, we might perhaps, in that remote corner of Europe, afford to tyrannize with impunity. But there is a revolution in our affairs, which makes it prudent to be just. In our late awkward contest with Ireland about trade, had religion been thrown in, to ferment and embitter the mass of discontents, the consequences might have been truly dreadful. But very happily, that cause of quarrel was previously quieted by the wisdom of the acts I am commending.

Even in England, where I admit the danger from the discontent of that persuasion to be less than in Ireland; yet even here, had we listened to the counsels of fanaticism and folly, we might have wounded ourselves very deeply; and wounded ourselves in a very tender part. You are apprised, that the Catholicks of England consist

mostly of our best manufacturers. Had the legislature chosen, instead of returning their declarations of duty with correspondent good-will, to drive them to despair, there is a country at their very door, to which they would be invited; a country in all respects as good as ours, and with the finest cities in the world ready built to receive them. And thus the bigotry of a free country, and in an enlightened age, would have re-peopled the cities of Flanders, which, in the darkness of two hundred years ago, had been desolated by the superstition of a cruel tyrant. Our manufacturers were the growth of the persecutions in the Low Countries. What a spectacle would it be to Europe, to see us at this time of day, balancing the account of tyranny with those very countries, and by our persecutions, driving back trade and manufacture, as a sort of vagabonds, to their original settlement! But I trust we shall be saved this last of disgraces.

So far as to the effect of the act on the interests of this nation. With regard to the interests of mankind at large, I am sure the benefit was very considerable. Long before this act, indeed, the spirit of toleration began to gain ground in Europe. In Holland, the third part of the people are Catholicks; they live at ease; and are a sound part of the state. In many parts of Germany, Protestants and Papists partake the same cities, the same

same councils, and even the same churches. The unbounded liberality of the king of Prussia's conduct on this occasion is known to all the world; and it is of a piece with the other grand maxims of his reign. The magnanimity of the imperial court, breaking through the narrow principles of its predecessors, has indulged its Protestant subjects, not only with property, with worship, with liberal education; but with honours and trusts, both civil and military. A worthy Protestant gentleman of this country now fills, and fills with credit, a high office in the Austrian Netherlands. Even the Lutheran obstinacy of Sweden has thawed at length, and opened a toleration to all religions. I know myself, that in France the Protestants begin to be at rest. The army, which in that country is every thing, is open to them; and some of the military rewards and decorations which the laws deny, are supplied by others, to make the service acceptable and honourable. The first minister of finance in that country, is a Protestant. Two years war without a tax, is among the first-fruits of their liberality. Tarnished as the glory of this nation is, and as far as it has waded into the shades of an eclipse, some beams of its former illumination still play upon its surface; and what is done in England is still looked to, as argument, and as example. It is certainly true, that no law of this

country ever met with such universal applause abroad, or was so likely to produce the perfection of that tolerating spirit, which, as I observed, has been long gaining ground in Europe; for abroad, it was universally thought that we had done, what, I am sorry to say, we had not; they thought we had granted a full toleration. That opinion was however so far from hurting the Protestant cause, that I declare, with the most serious solemnity, my firm belief, that no one thing done for these fifty years past, was so likely to prove deeply beneficial to our religion at large as Sir George Savile's act. In its effects it was, "an act for tolerating and pro-"tecting Protestantism throughout Europe:" and I hope that those who were taking steps for the quiet and settlement of our Protestant brethren in other countries, will even yet, rather consider the steady equity of the greater and better part of the people of Great Britain, than the vanity and violence of a few.

I perceive, gentlemen, by the manner of all about me, that you look with horrour on the wicked clamour which has been raised on this subject; and that instead of an apology for what was done, you rather demand from me an account, why the execution of the scheme of toleration, was not made more answerable to the large and liberal grounds on which it was taken up. The question

is

is natural and proper; and I remember that a great and learned magistrate*, distinguished for his strong and systematick understanding, and who at that time was a member of the house of commons, made the same objection to the proceeding. The statutes, as they now stand, are, without doubt, perfectly absurd. But I beg leave to explain the cause of this gross imperfection, in the tolerating plan, as well and as shortly as I am able. It was universally thought, that the session ought not to pass over without doing *something* in this business. To revise the whole body of the penal statutes was conceived to be an object too big for the time. The penal statute therefore which was chosen for repeal (chosen to shew our disposition to conciliate, not to perfect a toleration) was this act of ludicrous cruelty, of which I have just given you the history. It is an act, which, though not by a great deal so fierce and bloody as some of the rest, was infinitely more ready in the execution. It was the act which gave the greatest encouragement to those pests of society, mercenary informers, and interested disturbers of household peace; and it was observed with truth, that the prosecutions, either carried to conviction or compounded, for many years, had been all commenced upon that act. It was said, that whilst we were deliberating on a more perfect scheme, the spirit of the age would

* The Chancellor.

would never come up to the execution of the statutes which remained; especially as more steps, and a co-operation of more minds and powers, were required towards a mischievous use of them, than for the execution of the act to be repealed: that it was better to unravel this texture from below than from above, beginning with the latest, which, in general practice, is the severest evil. It was alleged, that this slow proceeding would be attended with the advantage of a progressive experience; and that the people would grow reconciled to toleration, when they should find by the effects, that justice was not so irreconcileable an enemy to convenience as they had imagined.

These, gentlemen, were the reasons why we left this good work in the rude unfinished state, in which good works are commonly left, through the tame circumspection with which a timid prudence so frequently enervates beneficence. In doing good, we are generally cold, and languid, and sluggish; and of all things afraid of being too much in the right. But the works of malice and injustice are quite in another style. They are finished with a bold masterly hand; touched as they are with the spirit of those vehement passions that call forth all our energies whenever we oppress and persecute.

Thus this matter was left for the time, with a full determination in parliament, not to suffer other

other and worse statutes to remain for the purpose of counteracting the benefits proposed by the repeal of one penal law; for nobody then dreamed of defending what was done as a benefit, on the ground of its being no benefit at all. We were not then ripe for so mean a subterfuge.

I do not wish to go over the horrid scene that was afterwards acted. Would to God it could be expunged for ever from the annals of this country! But since it must subsist for our shame, let it subsist for our instruction. In the year 1780, there were found in this nation men deluded enough (for I give the whole to their delusion) on pretences of zeal and piety, without any sort of provocation whatsoever, real or pretended, to make a desperate attempt, which would have consumed all the glory and power of this country, in the flames of London; and buried all law, order, and religion, under the ruins of the metropolis of the Protestant world. Whether all this mischief done, or in the direct train of doing, was in their original scheme, I cannot say; I hope it was not; but this would have been the unavoidable consequence of their proceedings, had not the flames they had lighted up in their fury been extinguished in their blood.

All the time that this horrid scene was acting, or avenging, as well as for some time before, and ever since, the wicked instigators of this unhappy multitude,

multitude, guilty, with every aggravation, of all their crimes, and screened in a cowardly darkness from their punishment, continued without interruption, pity or remorse, to blow up the blind rage of the populace, with a continued blast of pestilential libels, which infected and poisoned the very air we breathed in.

The main drift of all the libels, and all the riots, was, to force parliament (to persuade us was hopeless) into an act of national perfidy, which has no example. For, gentlemen, it is proper you should all know what infamy we escaped by refusing that repeal, for a refusal of which, it seems, I, among others, stand somewhere or other accused. When we took away, on the motives which I had the honour of stating to you, a few of the innumerable penalties upon an oppressed and injured people; the relief was not absolute, but given on a stipulation and compact between them and us; for we bound down the Roman Catholicks with the most solemn oaths, to bear true allegiance to this government; to abjure all sort of temporal power in any other; and to renounce, under the same solemn obligations, the doctrines of systematick perfidy, with which they stood (I conceive very unjustly) charged. Now our modest petitioners came up to us, most humbly praying nothing more, than that we should break our faith, without any one cause whatsoever of forfeiture assigned; and when the

the subjects of this kingdom had, on their part, fully performed their engagement, we should refuse, on our part, the benefit we had stipulated on the performance of those very conditions that were prescribed by our own authority, and taken on the sanction of our publick faith—That is to say, when we had inveigled them with fair promises within our door, we were to shut it on them; and, adding mockery to outrage—to tell them, "Now we have got you fast——your consciences "are bound to a power resolved on your destruc- "tion. We have made you swear, that your "religion obliges you to keep your faith: fools "as you are! we will now let you see, that our "religion enjoins us to keep no faith with you."— They who would advisedly call upon us to do such things, must certainly have thought us not only a convention of treacherous tyrants, but a gang of the lowest and dirtiest wretches that ever disgraced humanity. Had we done this, we should have indeed proved, that there were *some* in the world whom no faith could bind; and we should have *convicted* ourselves of that odious principle of which Papists stood *accused* by those very savages, who wished us, on that accusation, to deliver them over to their fury.

In this audacious tumult, when our very name and character as gentlemen, was to be cancelled for ever along with the faith and honour of the nation,

nation, I, who had exerted myself very little on the quiet passing of the bill, thought it necessary then to come forward. I was not alone; but though some distinguished members on all sides, and particularly on ours, added much to their high reputation by the part they took on that day, (a part which will be remembered as long as honour, spirit, and eloquence have estimation in the world) I may and will value myself so far, that yielding in abilities to many, I yielded in zeal to none. With warmth and with vigour, and animated with a just and natural indignation, I called forth every faculty that I possessed, and I directed it in every way in which I could possibly employ it. I laboured night and day. I laboured in parliament: I laboured out of parliament. If therefore the resolution of the house of commons, refusing to commit this act of unmatched turpitude, be a crime, I am guilty among the foremost. But indeed, whatever the faults of that house may have been, no one member was found hardy enough to propose so infamous a thing; and on full debate we passed the resolution against the petitions with as much unanimity, as we had formerly passed the law, of which these petitions demanded the repeal.

There was a circumstance (justice will not suffer me to pass it over) which, if any thing could enforce the reasons I have given, would fully justify the act of relief, and render a repeal, or any thing like

like a repeal, unnatural, impossible. It was the behaviour of the persecuted Roman Catholicks under the acts of violence and brutal insolence, which they suffered. I suppose there are not in London less than four or five thousand of that persuasion from my country, who do a great deal of the most laborious works in the metropolis; and they chiefly inhabit those quarters, which were the principal theatre of the fury of the bigotted multitude. They are known to be men of strong arms, and quick feelings, and more remarkable for a determined resolution, than clear ideas, or much foresight. But though provoked by every thing that can stir the blood of men, their houses and chapels in flames, and with the most atrocious profanations of every thing which they hold sacred before their eyes, not a hand was moved to retaliate, or even to defend. Had a conflict once begun, the rage of their persecutors would have redoubled. Thus fury increasing by the reverberation of outrages, house being fired for house, and church for chapel, I am convinced, that no power under heaven could have prevented a general conflagration; and at this day London would have been a tale. But I am well informed, and the thing speaks it, that their clergy exerted their whole influence to keep their people in such a state of forbearance and quiet, as, when I look back, fills me with astonishment; but not with astonishment only. Their merits

merits on that occasion ought not to be forgotten; nor will they, when Englishmen come to recollect themselves. I am sure it were far more proper to have called them forth, and given them the thanks of both houses of parliament, than to have suffered those worthy clergymen, and excellent citizens, to be hunted into holes and corners, whilst we are making low-minded inquisitions into the number of their people; as if a tolerating principle was never to prevail, unless we were very sure that only a few could possibly take advantage of it. But indeed we are not yet well recovered of our fright. Our reason, I trust, will return with our security; and this unfortunate temper will pass over like a cloud.

Gentlemen, I have now laid before you a few of the reasons for taking away the penalties of the act of 1699, and for refusing to establish them on the riotous requisition of 1780. Because I would not suffer any thing which may be for your satisfaction to escape, permit me just to touch on the objections urged against our act and our resolves, and intended as a justification of the violence offered to both houses. "Parliament," they assert, "was too hasty, and they ought, in so essential "and alarming a change, to have proceeded with "a far greater degree of deliberation." The direct contrary. Parliament was too slow. They took fourscore years to deliberate on the repeal of an

act which ought not to have survived a second session. When at length, after a procrastination of near a century, the business was taken up, it proceeded in the most publick manner, by the ordinary stages, and as slowly as a law so evidently right as to be resisted by none, would naturally advance. Had it been read three times in one day, we should have shewn only a becoming readiness to recognise by protection the undoubted dutiful behaviour of those whom we had but too long punished for offences of presumption or conjecture. But for what end was that bill to linger beyond the usual period of an unopposed measure? Was it to be delayed until a rabble in Edinburgh should dictate to the church of England what measure of persecution was fitting for her safety? Was it to be adjourned until a fanatical force could be collected in London, sufficient to frighten us out of all our ideas of policy and justice? Were we to wait for the profound lectures on the reason of state, ecclesiastical and political, which the Protestant Association have since condescended to read to us? Or were we, seven hundred peers and commoners, the only persons ignorant of the ribald invectives which occupy the place of argument in those remonstrances, which every man of common observation had heard a thousand times over, and a thousand times over had despised? All men had before heard what they have to say; and all men

men at this day know what they dare to do; and I trust, all honest men are equally influenced by the one, and by the other.

But they tell us, that those our fellow-citizens, whose chains we have a little relaxed, are enemies to liberty and our free constitution.—Not enemies, I presume, to their *own* liberty. And as to the constitution, until we give them some share in it, I do not know on what pretence we can examine into their opinions about a business in which they have no interest or concern. But after all, are we equally sure, that they are adverse to our constitution, as that our statutes are hostile and destructive to them? For my part, I have reason to believe, their opinions and inclinations in that respect are various, exactly like those of other men: and if they lean more to the crown than I, and than many of you think *we* ought, we must remember, that he who aims at another's life, is not to be surprised if he flies into any sanctuary that will receive him. The tenderness of the executive power is the natural asylum of those upon whom the laws have declared war; and to complain that men are inclined to favour the means of their own safety, is so absurd, that one forgets the injustice in the ridicule.

I must fairly tell you, that so far as my principles are concerned, (principles that I hope will only depart with my last breath) that I have no idea of a liberty

a liberty unconnected with honesty and justice. Nor do I believe, that any good constitutions of government or of freedom can find it necessary for their security to doom any part of the people to a permanent slavery. Such a constitution of freedom, if such can be, is in effect no more than another name for the tyranny of the strongest faction; and factions in republicks have been, and are, full as capable as monarchs, of the most cruel oppression and injustice. It is but too true, that the love, and even the very idea, of genuine liberty, is extremely rare. It is but too true, that there are many, whose whole scheme of freedom is made up of pride, perverseness, and insolence. They feel themselves in a state of thraldom, they imagine that their souls are cooped and cabined in, unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them, descends to those who are the very lowest of all,—and a Protestant cobbler, debased by his poverty, but exalted by his share of the ruling church, feels a pride in knowing it is by his generosity alone, that the peer, whose footman's instep he measures, is able to keep his chaplain from a jail. This disposition is the true source of the passion, which many men, in very humble life, have taken to the American cause. Our subjects in America; our colonies; our dependants. This lust of party-power, is the liberty they

hunger and thirst for; and this Syren song of ambition, has charmed ears, that one would have thought were never organized to that sort of musick.

This way of *proscribing the citizens by denominations and general descriptions*, dignified by the name of reason of state, and security for constitutions and commonwealths, is nothing better at bottom, than the miserable invention of an ungenerous ambition which would fain hold the sacred trust of power, without any of the virtues or any of the energies that give a title to it; a receipt of policy, made up of a detestable compound of malice, cowardice, and sloth. They would govern men against their will; but in that government they would be discharged from the exercise of vigilance, providence, and fortitude; and therefore, that they may sleep on their watch, they consent to take some one division of the society into partnership of the tyranny over the rest. But let government, in what form it may be, comprehend the whole in its justice, and restrain the suspicious by its vigilance; let it keep watch and ward; let it discover by its sagacity, and punish by its firmness, all delinquency against its power, whenever delinquency exists in the overt acts; and then it will be as safe as ever God and nature intended it should be. Crimes are the acts of individuals, and not of denominations; and therefore arbitrarily to class men under general descriptions, in order to proscribe and punish them

in the lump for a presumed delinquency, of which perhaps but a part, perhaps none at all, are guilty, is indeed a compendious method, and saves a world of trouble about proof; but such a method instead of being law, is an act of unnatural rebellion against the legal dominion of reason and justice; and this vice, in any constitution that entertains it, at one time or other will certainly bring on its ruin.

We are told that this is not a religious persecution, and its abettors are loud in disclaiming all severities on account of conscience. Very fine indeed! then let it be so; they are not persecutors; they are only tyrants. With all my heart. I am perfectly indifferent concerning the pretexts upon which we torment one another; or whether it be for the constitution of the church of England, or for the constitution of the state of England, that people choose to make their fellow-creatures wretched. When we were sent into a place of authority, you that sent us had yourselves but one commission to give. You could give us none to wrong or oppress, or even to suffer any kind of oppression or wrong, on any grounds whatsoever; not on political, as in the affairs of America; not on commercial, as in those of Ireland; not in civil, as in the laws for debt; not in religious, as in the statutes against Protestant or Catholick dissenters. The diversified but connected fabrick of universal justice, is well cramped and bolted together in all

its parts; and depend upon it, I never have employed, and I never shall employ, any engine of power which may come into my hands, to wrench it asunder. All shall stand, if I can help it, and all shall stand connected. After all, to complete this work, much remains to be done; much in the East, much in the West. But great as the work is, if our will be ready, our powers are not deficient.

Since you have suffered me to trouble you so much on this subject, permit me, gentlemen, to detain you a little longer. I am indeed most solicitous to give you perfect satisfaction. I find there are some of a better and softer nature than the persons with whom I have supposed myself in debate, who neither think ill of the act of relief, nor by any means desire the repeal, yet who, not accusing but lamenting what was done, on account of the consequences, have frequently expressed their wish, that the late act had never been made. Some of this description, and persons of worth, I have met with in this city. They conceive, that the prejudices, whatever they might be, of a large part of the people, ought not to have been shocked; that their opinions ought to have been previously taken, and much attended to; and that thereby the late horrid scenes might have been prevented.

I confess, my notions are widely different; and I never was less sorry for any action of my life. I like the bill the better, on account of the events of

all

all kinds that followed it. It relieved the real sufferers; it strengthened the state: and, in the disorders that ensued, we had clear evidence that there lurked a temper somewhere, which ought not to be fostered by the laws. No ill consequences whatever could be attributed to the act itself. We knew beforehand, or we were poorly instructed, that toleration is odious to the intolerant: freedom to oppressors: property to robbers: and all kinds and degrees of prosperity to the envious. We knew, that all these kinds of men would gladly gratify their evil dispositions under the sanction of law and religion, if they could: if they could not yet to make way to their objects, they would do their utmost to subvert all religion and all law. This we certainly knew. But knowing this, is there any reason, because thieves break in and steal, and thus bring detriment to you, and even ruin on themselves, that I am to be sure that you are in possession of shops, and of warehouses, and of wholesome laws to protect them? Are you to build no houses, because desperate men may pull them down upon their own heads? Or, if a malignant wretch will cut his own throat because he sees you give alms to the necessitous and deserving; shall his destruction be attributed to your charity, and not to his own deplorable madness? If we repent of our good actions, what, I pray you, is left for our faults and follies? It is not the beneficence of

the laws, it is the unnatural temper which beneficence can fret and sour, that is to be lamented. It is this temper which, by all rational means, ought to be sweetened and corrected. If froward men should refuse this cure, can they vitiate any thing but themselves? Does evil so react upon good, as not only to retard its motion, but to change its nature? If it can so operate, then good men will always be in the power of the bad; and virtue, by a dreadful reverse of order, must lie under perpetual subjection and bondage to vice.

As to the opinion of the people, which some think, in such cases, is to be implicitly obeyed; near two years tranquillity, which followed the act, and its instant imitation in Ireland, proved abundantly, that the late horrible spirit was, in a great measure, the effect of insidious art, and perverse industry, and gross misrepresentation. But suppose that the dislike had been much more deliberate, and much more general than I am persuaded it was—When we know, that the opinions of even the greatest multitudes, are the standard of rectitude, I shall think myself obliged to make those opinions the masters of my conscience. But if it may be doubted whether Omnipotence itself is competent to alter the essential constitution of right and wrong, sure I am, that such *things*, as they and I, are possessed of no such power. No man carries further than I do the policy of making government

pleasing to the people. But the widest range of this politick complaisance is confined within the limits of justice. I would not only consult the interest of the people, but I would cheerfully gratify their humours. We are all a sort of children that must be soothed and managed. I think I am not austere or formal in my nature. I would bear, I would even myself play my part in, any innocent buffooneries, to divert them. But I never will act the tyrant for their amusement. If they will mix malice in their sports, I shall never consent to throw them any living, sentient, creature whatsoever, no not so much as a kitling, to torment.

"But if I profess all this impolitick stubborn-"ness, I may chance never to be elected into Par-"liament." It is certainly not pleasing to be put out of the publick service. But I wish to be a member of Parliament, to have my share of doing good and resisting evil. It would therefore be absurd to renounce my objects, in order to obtain my seat. I deceive myself indeed most grossly, if I had not much rather pass the remainder of my life hidden in the recesses of the deepest obscurity, feeding my mind even with the visions and imaginations of such things, than to be placed on the most splendid throne of the universe, tantalized with a denial of the practice of all which can make the greatest situation any other than the greatest curse. Gentlemen, I have had my day. I can

never sufficiently express my gratitude to you for having set me in a place, wherein I could lend the slightest help to great and laudable designs. If I have had my share, in any measure giving quiet to private property, and private conscience; if by my vote I have aided in securing to families the best possession, peace; if I have joined in reconciling kings to their subjects, and subjects to their prince; if I have assisted to loosen the foreign holdings of the citizen, and taught him to look for his protection to the laws of his country, and for his comfort to the goodwill of his countrymen;—if I have thus taken my part with the best of men in the best of their actions, I can shut the book;—I might wish to read a page or two more—but this is enough for my measure.—I have not lived in vain.

And now, Gentlemen, on this serious day, when I come, as it were, to make up my account with you, let me take to myself some degree of honest pride on the nature of the charges that are against me. I do not here stand before you accused of venality, or of neglect of duty. It is not said, that, in the long period of my service, I have, in a single instance, sacrificed the slightest of your interests to my ambition, or to my fortune. It is not alleged, that to gratify any anger, or revenge of my own, or of my party, I have had a share in wronging or oppressing any description of men, or any one man in any description. No! the charges against me,

me, are all of one kind, that I have pushed the principles of general justice and benevolence too far; further than a cautious policy would warrant; and further than the opinions of many would go along with me.—In every accident which may happen through life, in pain, in sorrow, in depression, and distress—I will call to mind this accusation; and be comforted.

Gentlemen, I submit the whole to your judgment. Mr. Mayor, I thank you for the trouble you have taken on this occasion: In your state of health, it is particularly obliging. If this company should think it adviseable for me to withdraw, I shall respectfully retire; if you think otherwise, I shall go directly to the Council-house and to the Change, and, without a moment's delay, begin my canvass.

BRISTOL, *September* 6, 1780.

AT a great and respectable meeting of the friends of EDMUND BURKE, Esq. held at the Guildhall this day;

The Right Worshipful the Mayor in the Chair:

Resolved, That Mr. Burke, as a representative for this city, has done all possible honour to himself as a senator and a man, and that we do heartily and honestly approve of his conduct, as the result of an enlightened loyalty to his sovereign; a warm and zealous love to his country, through its widely-extended empire; a jealous and watchful care of the liberties of his fellow-subjects; an enlarged and liberal understanding of our commercial interest; a humane attention to the circumstances of even the lowest ranks of the community; and a truly wise, politick, and tolerant spirit, in supporting the national church, with a reasonable indulgence to all who dissent from it; and we wish to express the most marked abhorrence of the base arts which have been employed, without regard to truth and reason, to misrepresent his eminent services to his country.

Resolved, That this resolution be copied out, and signed by the chairman, and be by him presented to Mr. Burke, as the fullest expression of the respectful and grateful sense we entertain of his merits and services, publick and private, to the citizens of Bristol, as a man and a representative.

Resolved, That the thanks of this meeting be given to the right worshipful the Mayor, who so ably and worthily presided in this meeting.

Resolved,

Resolved, That it is the earnest request of this meeting to Mr. Burke, that he should again offer himself a candidate to represent this city in parliament; assuring him of that full and strenuous support which is due to the merits of so excellent a representative.

THIS business being over, Mr. Burke went to the Exchange, and offered himself as a candidate in the usual manner. He was accompanied to the Council-house, and from thence to the Exchange, by a large body of most respectable gentlemen, amongst whom were the following members of the corporation, viz. Mr. Mayor, Mr. Alderman Smith, Mr. Alderman Deane, Mr. Alderman Gordon, William Weare, Samuel Munckley, John Merlott, John Crofts, Levy Ames, John Fisher Weare, Benjamin Loscombe, Philip Protheroe, Samuel Span, Joseph Smith, Richard Bright, and John Noble, Esquires.

MR. BURKE'S SPEECH

AT BRISTOL,

ON

DECLINING THE POLL.

1780.

SPEECH, &c.

BRISTOL, SATURDAY, *Sept.* 9, 1780.

This morning the sheriff and candidates assembled as usual at the Council-house, and from thence proceeded to Guild-hall. Proclamation being made for the electors to appear and give their votes, Mr. BURKE stood forward on the hustings, surrounded by a great number of the corporation and other principal citizens, and addressed himself to the whole assembly as follows:

GENTLEMEN,

I DECLINE the Election.——It has ever been my rule through life, to observe a proportion between my efforts and my objects. I have never been remarkable for a bold, active, and sanguine pursuit of advantages that are personal to myself.

I have not canvassed the whole of this city in form. But I have taken such a view of it as satisfies my own mind, that your choice will not ultimately fall upon me. Your city, gentlemen, is in a state of miserable distraction; and I am resolved to withdraw whatever share my pretensions may have had in its unhappy divisions. I have not been in haste; I have tried all prudent means; I have waited for the effect of all contingencies. If

I were

I were fond of a contest, by the partiality of my numerous friends (whom you know to be among the most weighty and respectable people of the city) I have the means of a sharp one in my hands. But I thought it far better with my strength unspent, and my reputation unimpaired, to do, early and from foresight, that which I might be obliged to do from necessity at last.

I am not in the least surprised, nor in the least angry at this view of things. I have read the book of life for a long time, and I have read other books a little. Nothing has happened to me, but what has happened to men much better than me, and in times and in nations full as good as the age and country that we live in. To say that I am no way concerned, would be neither decent nor true. The representation of *Bristol* was an object on many accounts dear to me; and I certainly should very far prefer it to any other in the kingdom. My habits are made to it; and it is in general more unpleasant to be rejected after long trial, than not to be chosen at all.

But, gentlemen, I will see nothing except your former kindness, and I will give way to no other sentiments than those of gratitude. From the bottom of my heart I thank you for what you have done for me. You have given me a long term, which is now expired. I have performed the conditions, and enjoyed all the profits to the full; and

and I now surrender your estate into your hands, without being in a single tile or a single stone impaired or wasted by my use. I have served the publick for fifteen years. I have served you in particular for six. What is passed is well stored. It is safe, and out of the power of fortune. What is to come, is in wiser hands than ours; and he, in whose hands it is, best knows whether it is best for you and me that I should be in parliament, or even in the world.

Gentlemen, the melancholy event of yesterday reads to us an awful lesson against being too much troubled about any of the objects of ordinary ambition. The worthy gentleman*, who has been snatched from us at the moment of the election, and in the middle of the contest, whilst his desires were as warm, and his hopes as eager as ours, has feelingly told us, what shadows we are, and what shadows we pursue.

It has been usual for a candidate who declines, to take his leave by a letter to the sheriffs; but I received your trust in the face of day; and in the face of day I accept your dismission. I am not,—I am not at all ashamed to look upon you; nor can my presence discompose the order of business here. I humbly and respectfully take my leave of the sheriffs, the candidates, and the electors; wishing heartily that the choice may be for the best, at

* Mr. Coombe.

at a time which calls, if ever time did call, for service that is not nominal. It is no plaything you are about. I tremble when I consider the trust I have presumed to ask. I confided perhaps too much in my intentions. They were really fair and upright; and I am bold to say, that I ask no ill thing for you, when on parting from this place I pray that whomever you chuse to succeed me, he may resemble me exactly in all things, except in my abilities to serve, and my fortune to please you.

END OF THE THIRD VOLUME.

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